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COUNTIES IN COMMERCIAL CORN-PRODUCING AREAS

HEARINGS

BEFORE THE

SUBCOMMITTEE ON DEPARTMENTAL
ADMINISTRATION AND CROP INSURANCE

AND THE

SUBCOMMITTEE ON
LIVESTOCK AND FEED GRAINS

OF THE

COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH CONGRESS

SECOND SESSION

ON

H. R. 10316, H. R. 10754, H. R. 10756,
H. R. 10762, and H. R. 10843

FEBRUARY 7, 19, AND 21, 1958

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COUNTIES IN COMMERCIAL CORN-PRODUCING AREAS

FRIDAY, FEBRUARY 7, 1958

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON DEPARTMENTAL
ADMINISTRATION AND CROP INSURANCE
OF THE COMMITTEE ON AGRICULTURE,
Washington, D. C.

The subcommittee met at 10:10 a. m., pursuant to notice, in room 1310, New House Office Building, Hon. John L. McMillan (chairman of the subcommittee) presiding.

Present: Representatives McMillan (presiding), Jones, Watts, and Johnson.

Also present: Francis M. LeMay, staff consultant; Mabel C. Downey, clerk.

Mr. McMILLAN (presiding). The committee will come to order.

Gentlemen of the committee, this meeting was called for the purpose of trying to clarify a section of the Agricultural Adjustment Act of 1938, as it pertains to commercial corn areas.

Would you gentlemen from the Department like to come up to the witness chairs?

Would you identify yourself for the record, I would like to have them for the record.

Mr. POLLOCK. I am Raymond J. Pollock, Director of the Grain Division of CCS.

Mr. WALKER. I am Thomas B. Walker, Chief of the Program Analysis Branch, Grain Division.

Mr. McMILLAN. Since last November I have been bombarded by the people of my district who were placed in the commercial corn area this year for the first time. I also have a number of letters from farmers in that area including the Farm Bureau, the Grange, and the ASC committees of both counties, which have been affected, which will be made a part of the record at this point.

(The documents referred to are as follows:)

DILLON COUNTY FARM BUREAU,
Dillon, S. C., February 1, 1958.

HON. JOHN L. McMILLAN,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN: In reply to your letter of January 25, 1958, requesting information concerning corn allotments in Dillon County as related to population of people, cattle, poultry, and hogs, we have compiled this information as nearly correct as we could possibly do so.

It will be noted from information contained herein that the farm people in Dillon County will have approximately 44,000 acres of land, of which some thirty-two to forty thousand in previous years have been planted to corn; but, in 1958, the corn allotment is only 15,700 acres.

Records indicate that farmers in Dillon County normally plant between thirty-two to forty thousand acres of corn; but, in setting up the corn allotments, the base was established of 26,000 acres and the allotted 15,700 acres of corn to

Dillon County was derived from that 26,000 acres which is considerably less corn than farmers actually planted or turned in.

It is also noted that corn acreages planted by farmers in Dillon County, ranging from the above-mentioned thirty-two to forty thousand acres did not include silage; but under the present corn allotments as they are, silage will have to be included in the 15,700 acres allotment that has been imposed upon farmers in Dillon County. It is felt by the farm people, Farm Bureau, Grange, and lending institutions in Dillon County that the corn allotments as they now stand will work a severe hardship on our farm people.

We feel that the present allotments are not adequate to take care of the needs as used for food for human consumption, to feed livestock and work animals used as necessary in our farm operations.

We sincerely hope that you, as a Member of the National Congress, with the help of the other Members of our South Carolina delegation, will do your utmost to give the farm people some relief from a situation that has been imposed upon them over which they had no control. It is believed that the law, as it exists, whereby any county joining a commercial corn county that receives a certain amount of corn can be designated by the Secretary of Agriculture as a commercial county, is not in the best interest of the farm people in South Carolina.

We sincerely hope that if it is not possible to have this law changed at this time, certainly some amendments will be made or the law changed at a future date and at the present time even more important is to raise the allotted acres in Dillon County and to have silage excluded that we might take care of our dairymen and milk producers.

I hope that this information will be of assistance to you and your committee and if I can be of any further service to you, I shall be glad to do so.

Very truly yours,

EDWIN E. LANE, *President.*

Cropland in Dillon County

	<i>Acres</i>
Corn allotment.....	22,100
Tobacco allotment.....	7,448
Wheat.....	¹ 3,000
Oats followed by hay.....	¹ 15,000
Soybeans.....	¹ 3,500
Peanuts.....	¹ 500
Gardens.....	¹ 1,500
Sweet Potatoes.....	¹ 1,000
Winter Pasture.....	¹ 3,000
Summer Pasture.....	¹ 3,000
Hog Pasture.....	¹ 1,000
Idle.....	¹ 5,000
Total.....	66,048
Number of bushels of corn:	
1956.....	535,500
1957.....	504,000
Number of beef cattle in county.....	4,000
Number of family dairy cattle.....	¹ 600
Number of commercial dairy cattle (on 12 dairy farms).....	¹ 800
Total.....	1,400
Hogs:	
Hog farms.....	525
Brood sows.....	¹ 2,100
Hogs.....	25,200
Total.....	27,300
Contracted farms.....	1,400
Population in county.....	30,930
People dependent wholly or partially on farms.....	15,000

¹ Estimated.

As surveyed by county ASC committee, approximately 42,000 acres reported of corn. Agriculture Department would not accept this figure. Committee reduced figure to 32,522 acres to have it accepted, but feels that actual acreage was nearer 42,000 than to 32,000. The State ASC office accepted 32,000 acres but set up a base to establish 1958 corn allotment in Dillon County at 26,000 acres.

Silage corn counted against allotment of corn but no credit given us in survey or allotments. We feel that silage corn should be counted as it is never harvested.

DILLON, S. C., *January 13, 1958.*

I am still feeding 60 head of cattle. For the last 3 years I have planted an average of 40 acres of corn.

For the 1958 farming I have received an allotment of 14.9 acres of corn, which is not sufficient to feed my cattle.

I feel that this small allotment is unjust.

W. L. BETHEA.

DILLON, S. C., *January 15, 1958.*

Subject: Corn allotment, farm No. 7092.

My corn allotment of 7.9 acres is less than one-third of acreage that I normally plant.

For the past 3 years I had to start raising hogs to supplement my income because of the acreage cuts in tobacco and cotton. During this 3-year period I improved my breeding stock until now I have all registered stock—and no corn.

If possible please raise my allotment to 15 acres. This would still be a 25 percent cut.

Dillon County farmers did not ask or vote for corn acreage controls and it has placed undue hardship on me and other Dillon County farmers.

DAN E. SESSIONS.

DILLON, S. C., *January 14, 1958.*

I have been planting 23 acres of corn: feeding 50 hogs and 4 mules. Now I am allowed to plant only 7.9 acres (allotment). I feel that I have been cut too much and that this will not be sufficient amount of corn to feed my livestock.

GERTRUDE N. MOODY.

By: CURTIS R. MOODY, Jr.

THE DILLON CO.,
Dillon, S. C., *January 15, 1958.*

Hon. JOHN L. McMILLAN,
Member of Congress,
House Office Building, Washington, D. C.

DEAR MR. McMILLAN: We come in contact with many farmers daily. A few days ago the local ASC office mailed out 1958 corn-acreage allotments.

To be sure, these farmers are customers of ours, and we are, of course, concerned with their welfare. Since receiving their corn allotments, the complaints have been unprecedented. Somehow or other, a farmer feels that planting corn is an inherent right. From corn he gets his cornbread, hominy grits, feeds his chickens, his hogs, and mules. His cotton and tobacco is 100 percent sold at the market, and he can readily understand surplus supply. But he feels that corn is basic in his livelihood, and that severe cuts from what he has been planting is unjust.

Have heard so many complaints that I thought it worthwhile to pass on to your office the recorded personal comments of just a few of the Dillon County farmers.

Yours very truly,

PAUL D. SLOAN, *Manager.*

HAMER, S. C., *January 13, 1958.*

Hon. JOHN L. McMILLAN,
Congressman, Sixth Congressional District,
House Office Building, Washington, D. C.

DEAR MR. McMILLAN: My family and I work 43 acres of land. The cotton and tobacco cuts in the last few years have made it hard to make a living on the farm; however, as long as I could plant enough corn to feed my livestock (2

COMMERCIAL CORN-PRODUCING AREAS

mules, 3 cows, 16 hogs, and 100 chickens) and have some left for hominy grits and cornmeal to feed my family of 10. I could get by. But, with the corn allotment which cuts my usual acreage by about 10 acres, I do not see how I can maintain myself and family on the farm.

Unless we can get more allotment for corn, or the allotment program thrown out altogether, there will be a great hardship on the small farmer who is dependent upon farming for a living.

Can you help us?

Yours very truly,

ALPHONSO McDANIEL.

DILLON, S. C., *January 14, 1958.*

I farm 112 acres of land. I have 30 cows, 20 hogs, and 5 mules and horses. I usually plant 35 acres of corn each year. My allotment for this year is 15 acres, and I cannot possibly feed my livestock on that small acreage of corn. In addition to my livestock mentioned above, my tenants also have cows, mules, and hogs which will have to be taken care of out of corn allotment.

R. D. COTTINGHAM.

PEE DEE FARMS CORP.,

Galivants Ferry, S. C., December 12, 1957.

Re Horry County corn allotments

Congressman JOHN L. McMILLAN,

Florence, S. C.

DEAR MR. JOHN: Thank you for your letter of December 6, about Horry and Dillon Counties being designated as commercial-corn counties.

I neglected stating in my letter of December 4 the main fact that we farmers feel has been overlooked; namely, we are not allowed to vote for or against corn allotments.

You know that the cotton farmers vote on cotton allotments and tobacco farmers vote on tobacco allotments. Now, regardless of the law, what is the difference in not being allowed to vote on corn allotments?

With the season's greetings, I am,

Sincerely yours,

JOSEPH W. HOLLIDAY.

STATE OF SOUTH CAROLINA,

— HOUSE OF REPRESENTATIVES,

Columbia, December 11, 1957.

Hon. JOHN L. McMILLAN,

Florence, S. C.

DEAR CONGRESSMAN McMILLAN: I am writing you in regard to Horry County being declared a commercial-corn area by the United States Department of Agriculture.

As you know, Horry County is composed of approximately 7,000 small farmers, and their tobacco acreage having been cut almost 40 percent over the past 3 years, as well as very small acreage in cotton and peanuts, most farmers have been planting corn and other small grains to feed their livestock in order to make a livelihood for them and their family.

Horry County has never made a practice of selling very much corn on the commercial market. It seems the only reason the Department has offered for declaring it as a commercial-corn area is because it adjoins a commercial-corn county in North Carolina.

I would like to urge you, in behalf of the farmers of Horry County, to do all that is in your power to get the Department of Agriculture to rescind their order, thereby giving the farmers of Horry County at least enough freedom to plant corn as they have in the past.

With kindest personal regards and best wishes for the Christmas season and new year, I remain

Yours very truly,

J. EUGENE ALTMAN.

BETHEA COAL & DISTRIBUTING CO., INC.,
Dillon, S. C., January 17, 1958.

HON. JOHN L. McMILLAN,
*Congressman Sixth Congressional District,
 House Office Building, Washington, D. C.*

DEAR CONGRESSMAN: The last move by the ASC office in our State to place corn under an allotment program in Dillon County has begun to produce undue hardship on many of our customers, and farmer friends. We humbly beg, solicit, and demand that some action be taken to give our people some relief on this situation.

From the various stories presented to me by farmers of our county, it appears that they will be able to plant about 40 percent of the corn that they have been planting in the past years. In many cases this is not enough acreage to allow a landowner and his tenants to produce enough corn to feed themselves, let alone some hogs, mules and other livestock.

Not only is the above a severe hardship, but if the farmer desires to participate in any phase of the soil bank he must remain within his corn acreage allotment to receive any payments. In other words he is in danger of double jeopardy from the fact that he cannot produce enough for home consumption, and at the same time participate in the soil-bank program.

We are in position to furnish you with numerous copies of cases of farmers that are in difficulty due to the above situation.

In closing, I would appreciate what efforts are necessary on your part to rectify this deplorable situation.

Very truly yours,

THOMAS C. BETHEA.

LATTA MILLING & GRAIN CO.,
Latta, S. C., January 17, 1958.

HON. JOHN L. McMILLAN,
*Congressman, Sixth Congressional District,
 House Office Building, Washington, D. C.*

DEAR CONGRESSMAN: We would like to call your attention to the latest move by the ASC office, in which they placed corn under an allotment in Dillon County. This is working a hardship on our customers and farmer friends, and we would like to request that some action be taken to give relief on this situation.

From the numerous cases presented to me regarding the above in our county, it appears that they will not be able to plant near enough for their home consumption, not taking into consideration the hogs, mules, and other livestock.

The farmer is in danger of double jeopardy due to the fact that he cannot produce enough corn for his home consumption, but if he wishes to participate in the soil bank in any phase he must remain within his corn acreage in order to receive any payments.

We are prepared to furnish you with numerous cases of farmers that are in difficulty due to the above situation.

May we request again that some action be taken on the above to give the farmer relief?

Thanking you in advance for your efforts in our behalf, we are,

Very truly yours,

A. V. BETHEA, Jr.

DILLON, S. C., January 3, 1958.

MR. JOHN L. McMILLAN,
House of Representatives, Washington, D. C.

DEAR MR. McMILLAN: Just 1 year ago I wrote you concerning "we poor South Carolina farmers." I do appreciate your interest in the farmers.

Well, this time it's corn. The way corn is cut is awful and a disgrace. The farmers were in line at the agricultural building in Dillon this morning.

I am cut from 18 acres to 6 acres. What would 6 acres do for 2 big mules, 4 hogs, chickens, and bread for table? Now, I am a sharecropper, really nothing for me, but my tenants are people who have to be cared for, and they look to me.

I understand we will receive \$25 per acre for the soil bank. Twenty-five dollars per acre in soil bank will not do.

Mr. Benson really is carrying out his plan in putting the small farmer out of business who is the "backbone of the Nation."

Hope you can do something for us.

Sincerely,

Mrs. FLORA M. LUPO.

D. M. DEW & SONS, INC.,
Latta, S. C., January 13, 1958.

Hon. JOHN L. McMILLAN,
House Office Building, Washington, D. C.

DEAR MR. McMILLAN: Appreciate the interest you showed in our corn problem in Dillon County while talking to several of us on the telephone Friday.

We are making an effort to take the matter up with the State ASC office and will, of course, appreciate what you can do through Mr. McLean or other sources in Washington.

We feel that this matter is serious this year, and should it continue year after year as a part of the agricultural program of the county, it would indeed be disastrous.

Yours very truly,

D. M. DEW, Jr.

CONWAY, S. C.

Congressman JOHN L. McMILLAN,
Florence, S. C.

DEAR MR. McMILLAN: As chairman of the Horry ASC County Committee, I have the occasion to come in contact with a large number of farmers in this county. They have expressed to me great concern regarding our county being classified as a commercial corn-growing area.

As you are well aware, there are in Horry County about 4,000 small farms, averaging less than 50 acres per farm with approximately 25 acres of cleared land. With the loss of 40 percent of their gross income resulting from a series of tobacco-acreage reductions, the farmers had just begun to move toward the production of hogs to supplement the tobacco loss and to diversify their farm enterprises. Now, unfortunately, the corn allotments will greatly curtail their move in this direction.

I feel that it is indeed a hardship on those farmers who wish to participate in the soil-bank program. If they participate in the soil-bank program they must, as you know, stay within their allotted acres.

Most of the farmers in Horry County are not commercial corn growers, and during a normal year would have very little surplus corn. However, during the last 2 years, due to an exceptionally good crop and to the increase of farm operating and living expenses, the farmers have actually been compelled to sell corn which should have been retained at the farm.

The farmers in this area are caught in a "squeeze" of continued increase in the cost of operation and a declining gross income. The corn allotments, as I see it, will only serve to aggravate an already serious situation in this area.

I hope that you will use your influence in removing corn allotments from Horry County.

Sincerely yours,

JOHN H. ATKINSON, Jr.,
Chairman, Horry ASC County Committee.

THE ANDERSON BANK OF DILLON,
Dillon, S. C., January 15, 1958.

Hon. JOHN L. McMILLAN,
Congressman, Sixth Congressional District,
House Office Building, Washington, D. C.

DEAR JOHNNY: The current corn program in which Dillon County has been included this year appears to impose undue hardship on quite a few Dillon County farmers. The average farmer in Dillon County produces a majority of his corn

for his own use rather than for sale. With the reduction of his money crop to a minimum he must of necessity turn to other sources of income. Foremost among these other sources is the raising of hogs and cattle. The tremendous cut, which the average farmer in Dillon County has had to take in his corn allotment for the coming year, will drastically change his plan production in both hogs and cattle.

In addition to the farmer who raises hogs and cattle, the dairyman has been hurt particularly by this program. Corn which he has planted to harvest as silage is counted as part of his allotment. Certainly this should not be considered part of corn production and allowances should be made for this type of farmer.

If the corn allotment continues along the same lines that it has begun and as both the tobacco and cotton programs have done, many Dillon County farmers will be forced to sell their farms within the next year.

Of the many farmers that I have discussed this program with, I feel that a large majority of them feel that they are not in sympathy with the program and that either the allotments in the county should be increased to a more realistic figure or else the county should be excluded from the program.

Yours very truly,

DILL B. ELLIS, *President.*

LATTA, S. C., *January 13, 1958.*

HON. JOHN L. McMILLAN,
Washington, D. C.

DEAR JOHN: I have 2 farms under 1 worksheet No. 7097, cleared acres 267.7, with a cotton allotment of 26.7 acres, tobacco allotment of 11.49 acres, and a corn allotment of 19.1 acres.

You can see that my allotments are low for the number of acres and the proposed corn allotment is less than a fourth of what we have been planting, therefore, I can't put any of my land in the soil bank unless I comply with the corn allotment. So you see I can't take any part in soil bank.

Last year I put my wheat allotment in the soil bank, thinking that the land I set aside and plowed to keep the weeds down, could be planted in hay or milo after wheat-harvesting time, but was not allowed to plant or graze until after January 1958. Personally, you can see that I am opposed to the soil bank, allotments, and all controls. I would like for the farmers to be their own bosses again. With my personal regards and best wishes to you for a good year.

ROBERT.

DR. R. L. REAVES.

P. S.—I had rather plant what I want to plant and get less for it, if we have to. I thought you would like to know how we feel about these things.

R. L. R.

LATTA, S. C., *January 13, 1958.*

HON. JOHN L. McMILLAN,
*Congressman, Sixth Congressional District,
House Office Building, Washington, D. C.*

DEAR SIR: We, the undersigned members of the Pineland Grange Community, Dillon County, S. C., are much opposed to the farm corn acreage allotment in Dillon County, S. C., on the following grounds:

1. Insufficient corn is produced in Dillon County for human and livestock needs.
2. Insect pests have reduced corn yields.
3. Small farmers and tenants will be penalized to the hurting point.
4. Dairy farmers will face disaster—especially so if silage corn is not exempt from the program.
5. Pork for home use will have to be reduced for families who are not now receiving enough of same.

We urge you to seek relief in this situation in some way.

Signators	Normal acreage	Allot- ment	Signators	Normal acreage	Allot- ment
T. W. Hayes.....	51	21	Douglas Rogers.....	20	10
O. J. Hatchell.....	35	15	Mrs. T. E. Hartly.....	30	8.4
J. H. Berry.....	34	11.2	F. S. Hayes.....	45	14
J. V. Hayes.....	10	3.7	C. M. Grice.....	15	4.7
L. B. George.....	30	9.3	Gary Hayes.....	13	3.7
Carlos George.....	31	12	J. Major Dew.....	24	9.8
Harold Coleman.....	25	8.9	Sam Lane.....	28	7.9
H. C. Hayes.....	25	8.9	Starr Shelley.....	150	66.2
S. D. Wise.....	18	3.7	Cecil S. Allen.....	30	10.7

Mr. McMILLAN. This is the first time that we have had any experience with the commercial-corn program in my district and I presume that is one reason that it has caused some trouble.

If you will give us a statement as to how these two counties happen to get into the commercial-corn area and who gives it information for placing them in this, we will be glad to hear that.

STATEMENT OF RAYMOND J. POLLOCK, DIRECTOR, GRAIN DIVISION, COMMODITY STABILIZATION SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE; ACCOMPANIED BY THOMAS B. WALKER, CHIEF OF PROGRAM ANALYSIS BRANCH, GRAIN DIVISION, COMMODITY STABILIZATION SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. POLLOCK. I would like to have Mr. Walker make that statement. He has the figures to support his statement.

Mr. WALKER. Mr. Chairman, and gentlemen of the committee, if you will permit me I would like to develop the answer to this question in some kind of chronological order.

Mr. McMILLAN. That will be satisfactory to me. I have not been able to give a good answer to the people of my district.

Mr. WALKER. We will do our best to clarify it here. I have here a compilation of the Agricultural Adjustment Act of 1938, as amended. Under subsection 301 (b), paragraphs 4 (a) and 4 (b), we have the provision of law that provides the guidelines for the establishment of the commercial corn producing area. And if you will permit me, I want to read it even though it could be taken from here to go into the record, but I want to get it before you so it will be a foundation for future discussion.

Paragraph 4 (a) reads as follows:

Commercial corn producing areas shall include all counties in which the average production of corn, excluding corn used as silage during the 10 calendar years immediately preceding the calendar year for which such area is determined, after adjustment for abnormal weather conditions, is 450 bushels or more per farm, and 4 bushels or more for each acre of farmland in the county.

Under this provision of 4 (a), a county must meet these standards on a 10-year average production basis and on a county-wide basis.

Now 4 (b) reads as follows:

Whenever prior to February 1 of any calendar year the Secretary has reason to believe that any county which is not included in the commercial corn producing area determined pursuant to the provisions of subparagraph (a)—

Just read—

or that any minor civil division in a county bordering on such area is producing,

excluding corn used for silage, an average of at least 450 bushels of corn per farm, and an average of at least 4 bushels for each acre of farmland in the county, or in the minor civil division, as the case may be, he shall cause immediate investigation to be made to determine such facts. If upon the basis of such investigation the Secretary finds such county or minor civil division is likely to produce corn in such average amounts during such calendar year he shall proclaim such a determination and commencing with such calendar year, such county shall be included in the commercial corn producing area.

There are other provisions here, but that is the meat of this provision.

Mr. McMILLAN. As I understand you, in Dillon County, from the correspondence I have had, there is only one township in that county that raised enough corn to place it in the commercial area.

Mr. WALKER. That is true.

Mr. WATTS. Can I ask one question? When you talk about a minor civil division, do you break it down into smaller units than counties?

Mr. WALKER. Yes, sir.

Mr. WATTS. You say half a county?

Mr. WALKER. No; minor civil divisions, as in Georgia, the military district, but in most States they are called townships.

Mr. McMILLAN. This is a township.

Mr. WATTS. We are divided into counties and magisterial districts.

Mr. WALKER. That is similar to the townships.

Mr. WATTS. You mean that if one of the magisterial districts raised corn or produced corn on the rates that you talk about, that would become a commercial-corn area, and the rest of the county would not be?

Mr. WALKER. That township would bring the whole county in.

Mr. McMILLAN. The whole county?

Mr. WALKER. Only if it is adjacent to a county that meets the requirements on the 10-year basis.

Mr. WATTS. What has that got to do with the "adjacent to"?

Mr. WALKER. That is the provision of law.

Mr. WATTS. Why was it put in there? What is the purpose?

Mr. WALKER. We will have to go back to the origin of the AAA Act to find why.

Mr. WATTS. I don't see why, because some other county happens to be in that.

Mr. JOHNSON. You mean if the township is adjacent to it?

Mr. WALKER. No; any township within any county that is adjacent to a county designated on a 10-year basis.

Mr. JOHNSON. It could be 20 or 30 miles away from the other township.

Mr. WATTS. It may be a hundred miles away?

Mr. WALKER. Yes.

Mr. McMILLAN. That is what is causing so much trouble. I cannot understand why a little township within the county, because they happen to grow a certain amount of corn, places the whole county into the commercial-corn area. That is more than I have been able to explain to my farmers up to the present time.

Mr. WALKER. As my second step here I would like to refer you to this exhibit that you have. In the first place, Dillon and Horry Counties, S. C., are tested because they are adjacent to a county that meets these requirements on a 10-year-average basis.

Mr. McMILLAN. They border on Robeson County, N. C.?

(The tables previously referred to are as follows:)

ROBESON COUNTY, N. C.

Year	Yield per acre planted basis, excluding silage	Acreage planted to corn exclud- ing silage
1948	26.4	89,890
1949	26.5	90,920
1950	28.1	99,710
1951	22.3	91,710
1952	18.7	91,890
1953	23.1	88,370
1954	15.8	91,720
1955	31.7	100,800
1956	31.3	94,300
1957	32.5	84,800
1948-57 average	25.6	92,411
1948-57 average, adjusted for abnormal weather conditions	27.5	92,411
10-year average production as adjusted for abnormal weather conditions		
	busbels	2,541,302
Number of farms (ACP 1957)		5,200
Acres of farmland (U. S. Census)		415,966
Production per farm	bushels	489
Production per acre of farmland	do.	6.1
1948	24.9	61,965
1949	26.0	61,465
1950	28.8	64,485
1951	28.0	59,970
1952	21.6	58,460
1953	29.7	55,465
1954	14.7	57,260
1955	31.4	57,570
1956	31.0	53,420
1957	27.9	55,030
1948-57 average	26.4	58,509
1948-57 average, adjusted for abnormal weather conditions	27.7	58,509
10-year average production as adjusted for abnormal weather conditions		
	busbels	1,620,699
Number of farms (ACP 1957)		5,051
Acres of farmland (U. S. Census)		391,260
Production per farm	bushels	321
Production per acre of farmland	do.	4.1

Corn—Annual yields and acreage planted to corn, excluding silage, 1948–57—Con.

DILLON COUNTY, S. C.

Year	Yield per acre planted basis, excluding silage	Acreage planted to corn exclud- ing silage
1948.....	22.6	30,895
1949.....	27.7	31,495
1950.....	25.6	33,895
1951.....	17.5	32,195
1952.....	18.9	32,490
1953.....	17.1	30,990
1954.....	10.7	27,350
1955.....	31.3	26,700
1956.....	21.9	25,930
1957.....	25.4	23,540
1948-57 average.....	21.9	29,548
1948-57 average, adjusted for abnormal weather conditions.....	22.5	29,457
10-year average production as adjusted for abnormal weather conditions.....		
Number of farms (ACP 1957).....	bushels.....	662,782
Acres of farmland (U. S. Census).....		1,363
Production per farm.....	bushels.....	188,057
Production per acre of farmland.....	do.....	486
		3.5

1958 corn-allotment program—Selection of strongest minor civil division

HORRY COUNTY, S. C.

Minor civil division (1)	Number of farms		Farmland (acres)		Production, excluding silage, 1954 census (6)	Production per—	
	1954 census (2)	ACP (3)	1954 census (4)	ACP (5)		Farm (7)	Farmland (8)
Bayboro.....	756	572	37,316	-----	148,393	249	3.8
Floyd.....	984	515	51,339	-----	72,707	141	1.4
Green Sea.....	771	489	32,966	-----	66,576	136	2.0
Galivants Ferry.....	562	404	30,582	-----	65,480	162	2.1
Dog Bluff.....	474	361	21,495	-----	42,957	119	2.0
Little River.....	386	369	15,103	-----	29,091	79	1.9
Simpson Creek.....	1,156	961	58,155	-----	170,455	177	2.9
Rynor Town.....	8	-----	164	-----	565	76	-----
Bucks.....	557	435	33,101	-----	32,860	76	1.0
Socastee.....	209	226	11,388	-----	11,954	53	1.0
Conway.....	907	709	48,392	-----	57,885	82	1.2
Conway Town.....	12	-----	17,643	-----	890	-----	-----
Dogwood Dock.....	119	108	10,964	-----	8,597	80	1.0
Myrtle Beach Town.....	6	-----	21,372	-----	4,000	-----	-----
Loris Town.....	11	-----	1,300	-----	1,665	-----	-----
Total.....	6,918	5,149	391,260	-----	708,075	-----	-----

DILLON COUNTY, S. C.

Manning.....	649	353	36,702	-----	37,675	107	1.0
Hillsboro.....	688	394	30,956	-----	76,025	193	2.5
Carmichael.....	585	257	32,810	-----	65,471	255	2.0
Kirby.....	183	113	21,588	-----	16,601	147	.8
Latta Town.....	17	-----	2,767	-----	225	-----	-----
Bethea.....	409	130	31,128	-----	27,438	211	.9
Dillon Town.....	29	-----	1,022	-----	1,270	-----	-----
Lakeview Town.....	9	-----	248	-----	750	-----	-----
Harleesville.....	432	165	30,836	-----	30,700	186	1.0
Total.....	3,001	1,412	188,057	-----	256,155	-----	-----

COMMERCIAL CORN-PRODUCING AREAS

1958 CORN ALLOTMENT PROGRAM: PARAGRAPH B TEST OF MINOR CIVIL-DIVISION
DATA FOR COMMERCIAL AREA DETERMINATION FOR COUNTIES NOT IN THE 1957
AREA

HORRY COUNTY, S. C.

Strongest minor civil-division data from 1954 census production

- A. Name: Bayboro.
 B. MCD production per farm, 249.
 C. MCD production per farmland acre, 3.8.
 D. County production on which B. and C. are based (from sheet 58-C-3a),
 708,075 bushels.

PART I. IS PRODUCING (NO WEATHER ADJUSTMENT OR DIVERSION CREDIT)

Item	1956	1957
1. ANS corn production excluding silage (AMS photostats)-----	1,658,500	1,537,000
2. Factor for adjustment MCD quotient (1÷D)-----	2.342266	2.170674
3. Adjusted MCD production per farm (2×B)-----	583	540
4. Adjusted MCU production per farmland acre (2×G)-----	8.9	8.2
5. Does MCD meet test? (yes or no)-----	Yes	Yes

PART II. IS LIKELY TO PRODUCE (NORMAL YIELD WITH WEATHER ADJUSTMENT
AND DIVERSION CREDIT)

Item	10-year 1948-57	1956	1957
6. Adjusted 10-year average county yield (sheet 58-C-2, col. 20)-----	27.7	27.7	27.7
7. Adjusted corn acres, excluding silage (sheet 58-C-2, cols. 19, 9 and 10)-----	58,509	53,420	55,030
8. 10 percent of 1950 diversion (sheet 13a or sheet 1)-----			
9. 10 percent of 1954 diversion credit (sheet 8)-----			
10. Corn acres adjusted for weather and diversion (7+8+9)-----	58,509	53,420	55,030
11. County production as adjusted (6×10)-----	1,620,699	1,479,734	1,524,331
12. Factors for adjusting MCD quotients (11÷D)-----	2.288880	2.089798	2.152782
13. Adjusted MCD production per farm (12×B)-----	570	520	536
14. Adjusted MCD production per farmland acre (12×C)-----	8.7	7.9	8.2
15. Does MCD meet tests? (Yes or No)-----	Yes	Yes	Yes

1958 CORN ALLOTMENT PROGRAM: PARAGRAPH B TEST OF MINOR CIVIL-DIVISION
DATA FOR COMMERCIAL AREA DETERMINATION FOR COUNTIES NOT IN THE 1957
AREA

DILLON COUNTY, S. C.

Strongest minor civil-division data from 1954 census production

- A. Name: Carmichael.
 B. MCD production per farm, 255.
 C. MCD production per farmland acre, 2.0.
 D. County production on which B and C are based (from sheet 58-C-3a),
 256,155 bushels.

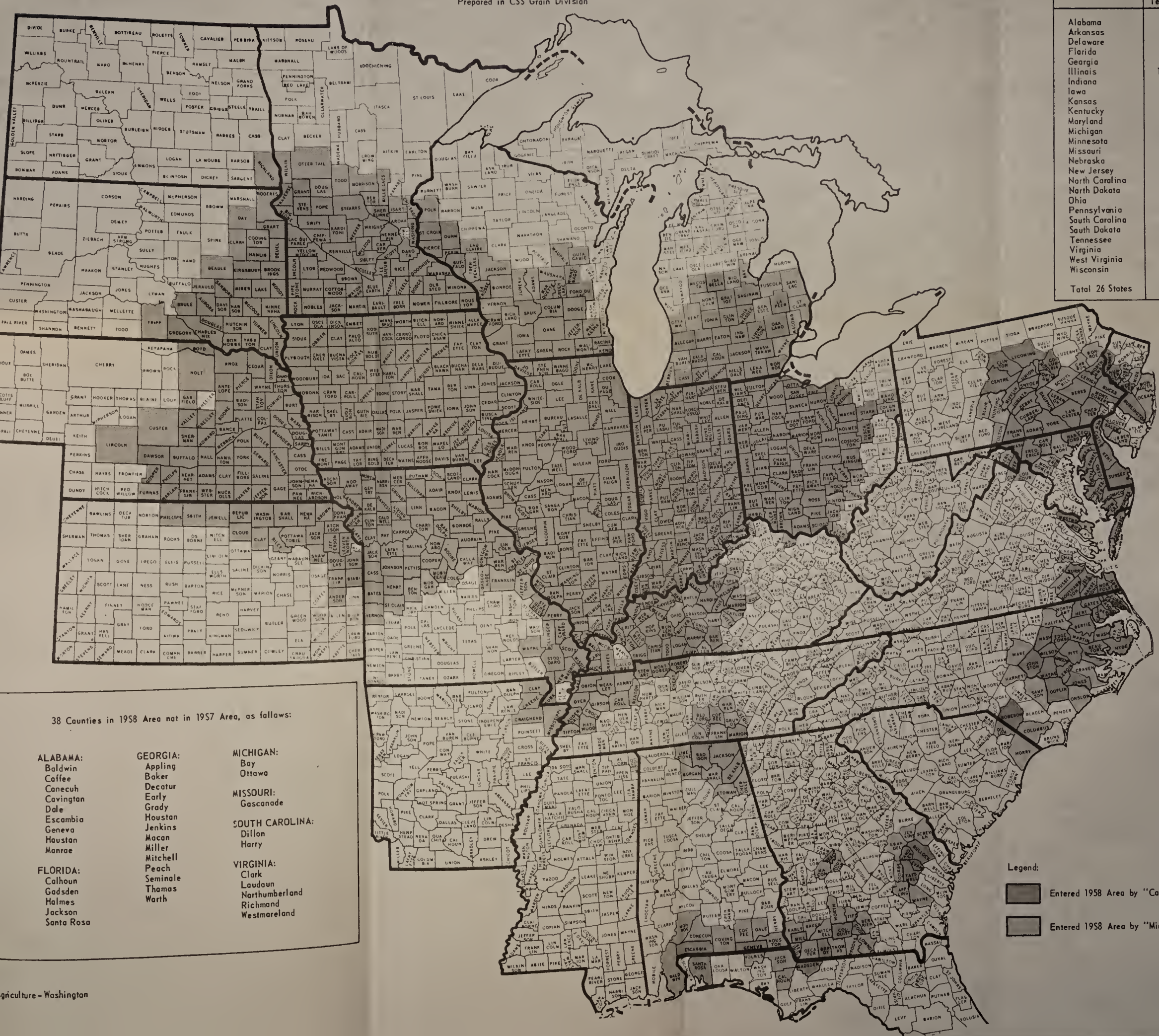
PART I. IS PRODUCING (NO WEATHER ADJUSTMENT OR DIVERSION CREDIT)

Item	1956	1957
1. AMS corn production excluding silage (AMS photostats)-----	568,400	597,300
2. Factor for adjusting MCD quotient (1÷D)-----	2.218969	2.331791
3. Adjusted MCD production per farm (2×B)-----	566	595
4. Adjusted MCD production per farmland acre (2×C)-----	4.4	4.7
5. Does MCD meet test? (yes or no)-----	Yes	Yes

1958 COMMERCIAL CORN AREA

Prepared in CSS Grain Division

Number of Counties Entering Area By			
State	County Total	Minor Civil Div.	Total
	Test A	Test B	
Alabama	5	12	17
Arkansas	0	4	4
Delaware	3	0	3
Florida	2	3	5
Georgia	9	19	28
Illinois	101	1	102
Indiana	87	5	92
Iowa	99	0	99
Kansas	13	10	23
Kentucky	32	20	52
Maryland	13	3	16
Michigan	23	14	37
Minnesota	50	10	60
Missouri	60	13	73
Nebraska	56	5	61
New Jersey	5	6	11
North Carolina	23	9	32
North Dakota	0	1	1
Ohio	64	7	71
Pennsylvania	24	7	31
South Carolina	0	2	2
South Dakota	25	7	32
Tennessee	9	16	25
Virginia	9	6	15
West Virginia	1	1	2
Wisconsin	25	13	38
Total 26 States	738	194	932



38 Counties in 1958 Area not in 1957 Area, as follows:

- | | | |
|----------|----------|-----------------|
| ALABAMA: | GEORGIA: | MICHIGAN: |
| Baldwin | Appling | Bay |
| Coffee | Baker | Ottawa |
| Canecuh | Decatur | |
| Cavinton | Early | MISSOURI: |
| Dale | Grady | Gascandé |
| Escambia | Houston | |
| Geneva | Jenkins | SOUTH CAROLINA: |
| Haustan | Macan | Dillon |
| Manrae | Miller | Harry |
| | Mitchell | |
| | Peach | VIRGINIA: |
| | Seminale | Clark |
| | Thomas | Laudaun |
| | Warth | Northumberland |
| | | Richmand |
| | | Westmoreland |

Legend:

Entered 1958 Area by "County Total, Test A"

Entered 1958 Area by "Minor Civil Division, Test B"

Strongest minor civil-division data from 1954 census production—Continued

PART II. IS LIKELY TO PRODUCE (NORMAL YIELD WITH WEATHER ADJUSTMENT
AND DIVERSION CREDIT)

Item	10-year 1948-57	1956	1957
6. Adjusted 10-year average county yield (sheet 58-C-2, col. 20).....	22.5	22.5	22.5
7. Adjusted corn acres, excluding silage (sheet 58-C-2, cols. 19, 9, and 10).....	29,457	25,930	23,566
8. 10 percent of 1950 diversion (sheet 13a or sheet 1).....			
9. 10 percent of 1954 diversion credit (sheet 8).....			
10. Corn acres adjusted for weather and diversion (7+8+9).....	29,457	25,930	23,566
11. County production as adjusted (6×10).....	662,782	583,425	530,235
12. Factors for adjusting MCD quotients (11÷D).....	2.587426	2.277625	2.069977
13. Adjusted MCD production per farm (12×B).....	660	581	528
14. Adjusted MCD production per farmland acre (12×C).....	5.2	4.6	4.1
15. Does MCD meet tests? (yes or no).....	Yes	Yes	Yes

Mr. WALKER. Now if you will refer to this table, the first table on the left, on this map, we give here the data on Robeson County, N. C., which caused these two counties in South Carolina to come in. You will notice there that we have data for the 10 years as prescribed by law, 1948 through 1957.

We have in the first column, the yield per acre planted basis, excluding silage. And in the next column the acreage planted to corn excluding silage.

Mr. McMILLAN. Whose figures do you take?

Mr. WALKER. These are the official figures of the Crop Reporting Board.

Mr. McMILLAN. Why didn't you take the figures of the ASC committees in the State?

Mr. WALKER. At this time we didn't have ASC committee figures on the township basis.

Mr. McMILLAN. I have a letter from the ASC chairman which says that you refused to accept their figures.

Mr. WALKER. Oh, no; they were not available.

Furthermore, the ASC committee does not make an estimate of the yields of corn. That is made by the Crop Reporting Board of the Department.

Mr. McMILLAN. In that letter it goes on to state that your committee accepted the AMS figures and would not accept the ASC figures.

Mr. WALKER. That is for the purpose of determining the commercial areas?

Mr. McMILLAN. That is right. The ASC committee figures show that county grows 40,000 bushels of corn, and the committee that you had investigated said it grows 26,000.

Mr. WALKER. That is acres that you are referring to as bushels?

Mr. McMILLAN. Yes.

Mr. WALKER. I believe I can clarify that.

Mr. McMILLAN. Those are the questions that I cannot answer.

Mr. WALKER. The commercial corn area is established on the basis of official estimates of the Department of Agriculture on the yields, acreage, and production.

The Crop Reporting Board certifies to the Grain Division its estimate, county by county, as requested by us, that is, where on the basis of previous investigation we know where corn is on the increase, where the counties are likely to come in. So we make a request to them to supply us with official Department estimates for such counties.

Now at the time this investigation was made the ASC county office or State office did not have any data on the acreage of corn or yield of corn in those counties. And on the basis of the latest available information we had to use the official estimates of the Department. These data we finally got after placing these two counties in the commercial corn area. They went down the road and visited the farmers and got the information. If we had used the information obtained through that survey, these counties would have come in stronger than the data we have here represented.

Mr. McMILLAN. If what you say is true under this law about this one precinct or one township in those counties, it is not verified by the county ASC figures.

Mr. WALKER. The acreage they obtained through this survey could be used for purposes of apportioning the State's share of the allotment to the counties.

Mr. McMILLAN. It shows they cut corn acreage 50 percent. That is the reason the farmers are furious since they had 2 years' reduction in tobacco which amounted to about 50 percent. I cannot believe the Department of Agriculture is trying to move every man off of the farm. I am certain it is not their intention.

Mr. WALKER. That is right.

Mr. McMILLAN. If this keeps up they will, certainly, have to leave the farms.

Mr. WALKER. If I may proceed?

Mr. McMILLAN. You have the ASC figure now at the present time?

Mr. WALKER. That is right.

Mr. McMILLAN. Why couldn't you use those that you have now?

Mr. WALKER. The commercial area has already been announced. But even so we have never used ACD county data in establishing—

Mr. McMILLAN. You mean ASC?

Mr. WALKER. Yes, ASC county data in establishing whether a county would come in on a 10-year basis.

Mr. McMILLAN. We, certainly, could not consider the crop reporting figures in South South Carolina official. They only have 1 or 2 men in Columbia. We have an ASC committee in every county.

Mr. WALKER. That is true.

Mr. McMILLAN. Would not that be much more accurate?

Mr. WALKER. The ASC committee for this 10-year period would not have acreage back in 1948, acreage in 1949, they would not have it in 1950. They will have the data only for the years included in the survey that was made after these counties were placed in the commercial area. So we could not use on a 10-year basis ASC data. So we have to use the official estimates of the Department of Agriculture.

You will notice here that Robeson County, N. C., that causes the trouble in South Carolina, produced 489 bushels per farm for the 10-year period and 6.1 bushels of corn per acre of land, more than meeting the minimum requirements for inclusion in the commercial corn area on the 10-year average production basis.

The next sheet will show the same data for Horry County.

Mr. McMILLAN. On Horry County, which township there in that county causes that?

Mr. WALKER. The township tested in Horry County is Bayboro.

Mr. McMILLAN. I know where it is. I think the average acreage of any farm in that county is 35 acres in the whole county. I never found enough commercial corn in that county to bring it under the commercial corn area.

Mr. WALKER. On the second sheet here you will see for Horry County; the same data just described for Robeson County. You will notice here that we have the annual yields for the 10-year period, and we have the estimates of acreage for each of the years in the 10-year period, and that the yield here has been adjusted for abnormal weather conditions.

If you will note in 1954 we had a drought down there.

Mr. JOHNSON. What sheet are you on, the second page?

Mr. WALKER. Yes, and the yield is 14.7.

Well now, under provisions of law it says that if because of drought, insect pests, or other uncontrollable natural causes, the yield in any year of such 10-year period or 5-year period, as the case may be is less than 75 per centum of the average computed without regard to such yield, such year shall be eliminated in calculating the normal yields per acre for the county.

That year 1954 was eliminated.

So the 10-year average is 26.4. And when we make that adjustment for abnormal weather conditions, the adjusted yield is 27.7. Applying the 27.7 yield to 58,508 acres, 10-year average acreage, gives an adjusted production, excluding silage, of 1,620,699 bushels for Horry County. So that is a pretty good corn-producing country to produce that much corn.

Mr. JOHNSON. It is a large county and it is in area as large as any other 2 counties that I know of.

Mr. WALKER. We have the number of farms there, 5,051. And that is from ACP records.

Acres of farm land, 381,260.

On the county basis the production per farm is only 321 bushels per farm but it is 4.1 bushels per acre of farm land.

You could not put that county in on a 10-year basis because it did not meet both requirements. It has to meet both of them.

Mr. JOHNSON. It is composed of small farmers. I imagine that they eat and feed all of the corn they make?

Mr. WALKER. I do not doubt it a bit.

Mr. WATTS. You said that they didn't meet the 10-year criteria which was 450 bushels?

Mr. WALKER. Per farm.

Mr. WATTS. Per farm, and 4 bushels per acre.

Mr. WALKER. Of farm land.

Mr. WATTS. It is not required then to become a commercial corn area to meet both?

Mr. WALKER. It must meet both requirements. It must meet the 450 bushels per farm, and at least 4 bushels per acre of farm land. But this does not meet the requirements for the 10-year basis, because it only produced 321 bushels per farm.

Mr. WATTS. How did it get in?

Mr. WALKER. This is a fine question. Now we go to this first sheet.

Mr. WATTS. The rectangular sheet, the long sheet?

Mr. WALKER. It goes with this sheet. That other is only to select the township for the test. But here is where the actual test is made.

We have this sheet for Horry County and I want to go through it so we can see how it got in the commercial area.

This is sheet 58-C-3 for Horry County, S. C. Your inquiry was since it didn't meet it on the county basis how did it get into the commercial area.

You will recall a moment ago we read the provisions of paragraph 4 (b), which states that any county that is adjacent to a county meeting the requirements on a 10-year basis shall be examined and investigated to determine if any minor civil division in such county is producing such amounts of corn. Here is that test.

This is Bayboro Township. The top part of this sheet, if you will notice, has the name of the township, and the minor civil division production per farm in 1954 of 249 bushels. The census for 1954 was the only recent data we had on the minor civil division basis.

Item C here shows the production per acre of farmland was 3.8 in 1954. That is based upon the estimate of 708,675 bushels that was produced in the county in 1954, a drought year.

We move now to test it on the basis of current production, 1956-57. You will notice item 1 there shows official estimate of the production of corn, excluding silage, in 1956, 1,658,500 bushels.

Mr. McMILLAN. How about the previous years? I thought you were supposed to take 10 years?

Mr. WALKER. We have just gone through the 10-year test.

Mr. McMILLAN. And the average was what?

Mr. WALKER. An average after adjusted for abnormal weather conditions, was 1,620,699 bushels. You see the 10-year average is less than 1956.

Mr. McMILLAN. I imagine so.

Mr. WALKER. And less than 1957.

In item 2, we show a factor for adjusting the minor civil-division quotient from the 1954 census data for this township to the 1956 production basis. In item 3 we show the adjusted minor civil division production per farm and it is 583 bushels in 1956 per farm in that township. And in item 4 the production per farmland is 8.9. The similar data for 1957 is 540 bushels per farm, and 8.2 per acre of farmland. The minimum is 450 bushels per farm and 4 bushels per acre of farmland.

Mr. WATTS. I thought that was all on a 10-year average?

Mr. WALKER. This is on the minor civil division. The same provision applies to the township when you are making the test on current production. You see the provisions, for 450 bushels per farm, and 4 bushels per acre of farmland, applies both to the 10-year county basis and to the township on current production basis.

Mr. WATTS. You have it different—on the township part it is current?

Mr. WALKER. That is right.

Mr. WATTS. On the county as a whole it is the 10-year average?

Mr. WALKER. That is right. On the township we make a test to determine is it producing such amounts of corn.

Mr. WATTS. What do you mean by current?

Mr. WALKER. The last 2 years.

Mr. WATTS. That is your definition of "current"?

Mr. WALKER. Yes, sir; that is right. We say it must meet both of these requirements during the past 2 years.

Mr. McMILLAN. We have Congressman Ford here. Will you make your statement at this time, please.

**STATEMENT OF HON. GERALD R. FORD, JR., A REPRESENTATIVE
IN CONGRESS FROM THE FIFTH DISTRICT IN THE STATE OF
MICHIGAN**

Mr. FORD. Mr. Chairman and members of the committee, this, also, involves a commercial corn area problem in combination with the acreage-reserve problem. I would like to read excerpts from the letter which I addressed to the chairman of the committee, the Honorable Harold Cooley in reference to H. R. 10316 which I introduced January 28, 1958.

(H. R. 10316 is as follows:)

[H. R. 10316, 85th Cong., 2d sess.]

A BILL To exclude Ottawa County, Michigan, from the commercial corn-producing area during 1958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of title III of the Agricultural Adjustment Act of 1938, Ottawa County, Michigan, shall not be included in the commercial corn-producing area, as such term is defined in section 301 (b) (4) of such Act, during 1958.

Mr. FORD. The letter in part is as follows, and I think that explains the problem as simply as possible. I quote as follows:

I am writing you not only to respectfully request expeditious handling of the legislation but also to point out that apparently we cannot obtain administrative relief to correct an inequity inflicted upon certain farmers in Ottawa County when that county was designated a commercial corn area.

These farmers in good faith signed a contract to participate in the acreage-reserve program of the soil bank to restrict their plantings of wheat for the 1958 crop. They were advised in good faith by the local ASC committee that they would be permitted to plant and harvest any other crop than wheat without restriction.

Then on October 8, 1957, the Department of Agriculture designated Ottawa County as a "new county."

It is essential to note that this date, October 8, is after the final date for signing contracts for cooperation in the acreage-reserve program. It is more important to note, however, that this date, October 8, is too late for the planting of winter wheat in Ottawa County. No spring wheat is grown there.

As a result of this late action on the part of the Department in getting out the announcement designating Ottawa County as a commercial corn area, many of the cooperating farmers are in a serious difficulty. They cannot receive their payments for cooperating with the Government insofar as wheat is concerned without reducing their corn acreage, a provision which was added to the requirements after the contract was signed and after the farmers could take any effective action to alter their wheat acreage. In simple language, the Government changed the rule after the game had started.

I have here, also, a copy of a decision or a determination by the General Counsel of the Department which indicates that the Soil Bank Act prohibits any administrative relief in this situation.

(The two letters referred to are as follows:)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 29, 1958.

Re H. R. 10316

Hon. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: Yesterday afternoon I introduced a bill to exclude Ottawa County, Mich., from the commercial corn-producing area during 1958. The bill, H. R. 10316, was referred to your committee.

I am writing you not only to respectfully request expeditious handling of the legislation but also to point out that apparently we cannot obtain administrative relief to correct an inequity inflicted upon certain farmers in Ottawa County when that county was designated a commercial corn area.

These farmers in good faith signed a contract to participate in the acreage-reserve program of the soil bank to restrict their plantings of wheat for the 1958 crop. They were advised in good faith by the local ASC committee that they would be permitted to plant and harvest any other crop than wheat without restriction.

Then on October 8, 1957, the Department of Agriculture designated Ottawa County as a "new corn county." It is essential to note that this date, October 8, is after the final date for signing contracts for cooperation in the acreage-reserve program. It is more important to note that this date, October 8, is too late for the planting of winter wheat in Ottawa County. (No spring wheat is grown there.)

As a result of this late action on the part of the Department in getting out the announcement designating Ottawa County as a commercial corn area, many of the cooperating farmers are in serious difficulty. They cannot receive their payments for cooperating with the Government insofar as wheat is concerned without reducing their corn acreage, a provision which was added to the requirements after the contract was signed and after the farmers could take any effective action to alter their wheat acreage. In simple language the Government changed the rules after the game had started.

The enclosed copy of an opinion by the General Counsel of the Department indicates that the Soil Bank Act prohibits any administrative relief. I certainly cannot believe that it was the intention of the Congress to penalize farmers who in good faith signed an acreage reserve agreement by changing the requirements for participation after the contract was made and after it was impossible for the farmer to correct the situation on his farm.

Assistant Secretary Marvin L. McLain has told me that because of the General Counsel's ruling, the Department is not in a position to remedy the situation.

I sincerely hope that you will be able to help us. We are asking for relief only for the 1958 crop year. We have no objections to the designation of Ottawa County as a commercial corn area. But I do not think those farmers who signed a wheat acreage reserve contract in good faith should be forced to comply with new and additional requirements announced after the final date for signing the contracts had passed and after it was no longer possible for the cooperating farmer to adjust his wheat acreage.

Warmest personal regards.

Sincerely,

GERALD R. FORD, Jr.,
Member of Congress.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, D. C., January 21, 1958.

HON. GERALD R. FORD, JR.,
House of Representatives.

DEAR CONGRESSMAN FORD: This refers to your telephone conversation with Assistant Secretary McLain about farmers in your district whose farms were found to be in the commercial corn-producing area after the farmers had signed agreements placing certain wheat land in the acreage-reserve program. You asked whether the farmers would be eligible to receive their acreage-reserve payments if they should not comply with their acreage allotments on corn. I regret that the question must be answered in the negative. Section 114 of the Soil Bank Act (Public Law 540, 64th Cong.) specifically provides that in order to be eligible for soil-bank payments the farmer must comply with his corn-acreage allotment. The fact that the corn allotments were made effective after the soil-bank contracts were signed would not give the Secretary authority to waive the provisions of this section.

Sincerely yours,

R. L. HARRINGTON, *General Counsel.*

[From the U. S. Department of Agriculture, Washington, October 10, 1957]

3.8 MILLION ACRES SIGNED FOR WINTER WHEAT ACREAGE RESERVE AT
PROGRAM CLOSE

Slightly over 3.8 million acres of winter wheat allotment land were put in the 1958 acreage reserve of the soil bank through the close of the winter wheat signup period October 4, the United States Department of Agriculture announced today. Programs for other basic crops coming under the 1958 acreage reserve will be announced before planting time next spring.

According to preliminary reports from State Agricultural Stabilization and Conservation (ASC) committees in the 36 States of the commercial wheat area, 140,662 acreage reserve agreements, covering 3,806,000 acres, had been signed by farmers through the October 4 deadline. Participating farmers will be eligible for payments totaling \$76,808,773 if they comply with their agreements.

At the end of the 1957 winter wheat acreage reserve signup last year, 10,692,000 acres had been offered through the signing of 193,474 agreements. The maximum payments on this acreage totaled \$198,877,000, although there were some later cancellations.

The number of 1958 winter wheat acreage-reserve agreements reported is nearly 73 percent of the number signed last year, but the acreage covered is only 35.6 percent of a year ago. The maximum payments committed for the 1958 program are 38.6 percent of the comparable 1957 figure.

For the 1958 signup reported, the average acreage per contract is 27.1 acres compared with 76 acres a year ago. The average amount of payment per contract is \$546.05 this year compared with \$1,413.86 last year.

This is the last weekly report on the 1958 winter wheat acreage reserve signup. A breakdown by States showing the number of 1958 winter wheat agreements signed, the acreage covered, the amount of payments committed and the acreage offered through the comparable period, a year ago for the 1957 program follows:

*1958 soil-bank wheat acreage reserve agreements reported through deadline,
Oct. 4, 1957¹*

State	Number of agreements	Total acreage	Maximum payments ²	Acreage offered comparable period 1956
Arkansas.....	279	3,545	\$82,149	2,191
California.....	582	37,613	921,788	114,830
Colorado.....	3,093	300,241	4,417,957	1,313,714
Delaware.....	101	2,015	51,207	2,202
Georgia.....	5,307	55,152	1,191,275	37,577
Idaho.....	452	25,444	614,952	92,117
Illinois.....	3,202	53,090	1,640,372	33,897
Indiana.....	5,087	67,592	1,975,680	70,577
Iowa.....	360	8,381	217,155	6,467
Kansas.....	16,028	668,179	14,510,047	4,357,182
Kentucky.....	2,925	33,342	819,923	35,761
Maryland.....	766	12,013	315,516	11,208
Michigan.....	9,849	121,131	3,839,924	133,849
Minnesota.....	133	2,021	47,395	3,857
Missouri.....	14,489	255,715	7,330,556	130,348
Montana.....	601	32,272	727,100	102,797
Nebraska.....	4,824	122,697	3,017,072	671,315
New Jersey.....	513	7,744	256,399	5,645
New Mexico.....	888	119,790	1,130,462	179,590
New York.....	5,618	72,656	2,569,923	93,570
North Carolina.....	10,536	81,775	2,022,594	68,450
North Dakota.....				248
Ohio.....	11,955	140,099	4,171,815	178,806
Oklahoma.....	12,658	678,212	10,069,195	1,301,889
Oregon.....	803	22,024	675,463	94,325
Pennsylvania.....	5,092	47,364	1,341,634	37,381
South Carolina.....	6,873	57,959	1,332,412	40,539
South Dakota.....	174	11,563	165,539	48,885
Tennessee.....	3,316	37,646	807,022	30,985
Texas.....	8,715	605,554	7,705,319	1,157,578
Utah.....	647	43,005	747,766	79,700
Virginia.....	3,517	36,721	979,234	31,906
Washington.....	379	17,081	531,212	189,921
West Virginia.....	312	2,857	76,796	4,668
Wisconsin.....	261	2,604	81,472	2,646
Wyoming.....	327	20,903	374,435	25,506
Total commercial wheat States.....	140,662	3,806,000	76,808,773	10,692,127

¹ 1957 signup ended Oct. 5, 1956, except for a few controversial cases, disapprovals, and similar adjustments reported through Nov. 9, 1956. The 1958 signup as of Oct. 4, 1957, will be altered similarly to some degree in subsequent weeks.

² These maximum payments are somewhat incomplete because they do not include all the 10-percent premium for 1958 reserve acres which were also in the 1957 program.

Mr. Ford. I might give you a concrete example, Mr. Chairman and members of the committee, of just how this situation is applied to several specific farmers. In total there are only about 50 farmers involved, but they are in a very difficult situation as a result of this mixup.

This is a portion of a letter that I addressed to Mr. Charles Figy, assistant to the Secretary, on December 11, 1957, and I quote as follows:

In my letter of November 4, I presented the case of one specific farmer. This man is already committed to the soil bank and approximately 22 acres of his wheat allotment is lying idle. He could not have planted additional wheat this fall as the announcement designating Ottawa County as a "new corn county" came on October 9—

that is when the word was received out there, it was issued October 8th—

too late for planting wheat here.

The only relief to the attached comments to offer is cancellation of his wheat agreement. Because he cannot plant additional wheat for 1958 this means a loss of income from the land placed in acreage

reserve as we pointed out on November 4. This is not a satisfactory oats-producing area. So the only alternative is corn. Assuming canceled wheat agreement, he can put in about 70 acres of corn. This farmer does not need that much corn. To put in 70 acres in corn will destroy his well-established program of crop rotation, and to raise additional corn defeats the very purpose of the ASC corn program.

In another instance the farmer put his entire 23.4-acre wheat allotment in the soil bank. For this he was to receive a payment of approximately \$737. As he keeps a number of feeder and dairy cattle, he plans on using some of this payment to purchase straw. He normally raises 50 acres of corn annually, all of which he needs for his operation. This 50 acres is sufficient. However, he does not need more corn acres.

While it has not been finally determined, we understand that the corn allotment for Ottawa County will be from 40 to 50 percent. If this farmer is cut back that amount he will not have sufficient corn. Had he known of the impending designation of a "new corn county" he would have put in wheat to get straw and so forth, and then could have put in his regular 50 acres of corn as required by his farm operation.

Assuming that he cancels his wheat agreement he will be out the money with which he intended to buy straw and, of course, any remainder of the \$737, and can only raise more corn than he needs for his purposes which again defeats the objective of the corn program.

It seems to me in this situation that what we need is simply in this county and any other counties that are similarly affected, to get them out.

Mr. McMILLAN. Your county seems to be affected just exactly like mine. The ASC chairman talks about just as you state about the freeze, not being able to put it into the soil bank.

I didn't know anything about this until November. I received the information by the grapevine at that time. If they had notified those who represent those districts we would have been saved a lot of trouble.

Mr. WATTS. How many counties came in last fall as commercial counties?

Mr. POLLOCK. Thirty-eight.

Mr. WATTS. Thirty-eight counties.

Mr. POLLOCK. Yes.

Mr. FORD. Not necessarily all have the same problem, because in some counties they might be able to plant another crop. But, at least, in my county and in the chairman's county the date had gone by where they could take advantage of it.

Mr. WATTS. You would have the same problem with reference to putting land into the soil bank, the acreage reserve, or conservation reserve?

Mr. POLLOCK. Yes.

Mr. WATTS. Would the Department seriously object to legislation that provided where a county was added as a commercial corn area that cross compliance so far as soil bank is concerned, would not apply for 1 year—would that solve the whole situation? Next year the man could get out of the soil bank.

Mr. FORD. All we want is 1 year to get readjusted.

Mr. McMILLAN. That is it; that is the main complaint from my district.

Mr. WATTS. I could visualize that if we approved your bill we might have a number of bills, each trying to deal with one county. Since there are only 38 counties caught in the squeeze, it would seem better to have 1 bill that covered all 38 counties. It seems to me that would be a more satisfactory way of doing it than trying to do it by one county at the time.

Mr. FORD. I would agree to that.

Mr. McMILLAN. I think all of the counties should be treated the same.

Mr. WATTS. I do not know how they feel about it.

Mr. POLLOCK. I doubt if the Grain Division here represented could speak on that, because this involves the Soil Bank Section of the Department.

Mr. WATTS. That is right.

Mr. POLLOCK. I would not like to speak for them.

Mr. WATTS. But I believe you would agree with me, if we undertook to do anything about it, it would be better to solve the whole problem than to pick out one county?

Mr. POLLOCK. I am sure that is right.

Mr. McMILLAN. I would think so.

Mr. POLLOCK. I think in all 38 counties it would be possible to find cases of this kind.

Mr. JOHNSON. What States are these counties that are involved in?

Mr. LEMAY. They are listed on this map down here.

Mr. McMILLAN. My complaints are exactly the ones cited by Mr. Ford.

Mr. WALKER. Alabama, Florida, Georgia, Michigan, Missouri, South Carolina, and Virginia. These are listed on this map. It only affects the soil bank. It won't affect the support price.

Mr. WATTS. Do we have a lot of people putting tobacco into the soil bank?

Mr. McMILLAN. It is cotton.

Mr. JOHNSON. They have to comply on corn in order to place cotton in the soil bank.

Mr. FORD. I understand there was just one other county in Michigan that came in this commercial corn area, that is Bay County, and we have checked with the Congressman from that area and, apparently, as best he knows there has not been any problem there. They may be in a growing area or weather conditions are such which would permit them to plant something else or get them out of this problem. But in our area they are just in a bind and they have no alternative.

Mr. McMILLAN. In the 20 years I have been a Member of Congress I have never had anything happen to my district to cause so much confusion as this one order. Not even reducing tobacco 50 percent caused as much trouble and confusion.

Mr. WATTS. It is very easy to understand when the farmer has no way of knowing that his county is in the commercial corn area.

Mr. WALKER. I think that is true.

Mr. WATTS. I think the Department should give some consideration to putting in that about cross compliance where it was impossible for a farmer to know and got in a mess through no fault of his own.

Mr. McMILLAN. And, also, advise the Members of the Congress who represent those districts. They should do that. I could hardly explain this situation. I didn't know who recommended the county going into the commercial corn area. And I could not find anyone who did know. The ASC committee was complaining, the Grange, and the Farm Bureau and all of them were on my neck. In fact, they were accusing me of designating Dillon County as a commercial county. I could not tell them how they even got under it.

Mr. WALKER. I believe you can see now that the Secretary had no alternative but to place those two counties in the commercial corn area under the law.

Mr. WATTS. That is right, under the law.

Mr. JONES. That is what I was going to bring out; in other words, the only way we could cure this would be by legislation. There is no administrative authority in the law permitting him to do that.

Mr. WALKER. That is right.

Mr. JONES. May I suggest, Mr. Chairman, that we inquire of the Department if they would have any objection to legislation such as has been suggested by Mr. Watts here, that where counties were placed in this commercial corn area, in other words, that it would be a year before they would come under the cross compliance. I think that would probably take care of it.

Mr. WALKER. With respect to corn?

Mr. JONES. With respect to corn, yes. I mean to be equitable. In other words, I think we have legislation pending, suggesting that we do away with the commercial corn areas entirely. And that has been one of the proposals that has been made to their committee. And I have always felt that there was not too much justification for having these commercial corn areas.

You take in the district that I represent, southeast Missouri, while we are a dominant cotton area, still 8 of the 11 counties that I have are commercial corn counties, too.

Mr. WALKER. You have some mighty good land down there.

Mr. JONES. We can raise anything down there, that is true. If people go out of one, they go into the other.

Mr. WALKER. I am well acquainted with that area.

Mr. JONES. I think it is an imposition when, as Mr. Ford pointed out, the rules are changed in the middle of the game. No one anticipated that that would happen, and I think that the committee should give consideration to it. I think it would be well for the chairman to take this up with the Department and see if they would have any objection to the suggestion made by Mr. Watts. I think we can get that relief in a fairly short time.

Mr. McMILLAN. In this last paragraph that I have from the chairman of the ASC committee in Horry County he says the farmers in this area are caught in a squeeze.

Mr. JOHNSON. They have to sign up for the cotton pretty quick.

Mr. McMILLAN. They have up until March 7.

Mr. JOHNSON. No; February 20. That has been moved back to February 20, and you are going to have to get this legislation through real early to give those people help, so that they will know where they will be.

Mr. FORD. I think time is of the essence. Certainly, it is a very disturbing situation to these people not knowing which way they can or should go.

Mr. JONES. Do you not think, Mr. Chairman, that if Mr. Pollock and Mr. Walker would make inquiry down at the Department that we could, at least, get the Department's position on this. We ought to be able to get that today. I do not see any season why we couldn't get it today by you gentlemen inquiring, by taking it up with the soil bank people, also, with Mr. McLain or someone down there in the administration section.

Mr. FORD. I can tell you, Mr. Jones, Mr. McLain is well acquainted with my problem.

Mr. JONES. I think we ought to be able to get that today, do you not, Mr. Chairman?

Mr. McMILLAN. I would think so.

Mr. JONES. I think you understand what the problem is. From what I have gathered from the statements of the representatives of the Department, while they state they do not have any authority to make any recommendations with regard to changing it, of course, I think that they are acquainted with what the problem is and, certainly, can present it to the other people in the Department. Would you be willing to do that?

Mr. POLLOCK. Yes, sir.

Mr. JONES. I think that would solve it.

Mr. WALKER. I doubt seriously if we could get you a reply to that this afternoon.

Mr. JONES. I know it is pretty hard to get it fast. Still in an emergency I think there would be every reason why they should do it. I think if the chairman called down there and we get them moving, we can get it. If we know what their decision is we can know what action to take ourselves.

Mr. McMILLAN. What you would suggest then is to postpone the effective date until they give them a year's notice?

Mr. JONES. That is the thing that apparently seems to be desired, that is one way to do it. That might be the most expedient and might be the best way.

Mr. McMILLAN. It has come on so suddenly that they did not have an opportunity to do anything. That was the general complaint. I know I was not advised of this order.

I had a hard time getting an explanation from you folks in the Department. I wrote four letters and it took me a month to get an answer to each one of them.

Mr. JONES. They are busy down there.

(The letters referred to are as follows:)

UNITED STATES DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEE,
Dillon, S. C., January 31, 1958.

HON. JOHN L. McMILLAN,
United States House of Representatives,
Committee on Agriculture,
Washington, D. C.

DEAR MR. McMILLAN: I wish to thank you for your letter of January 25 in reference to information about corn in Dillon County. I have gathered the best

information I can, including that furnished by the county agent and corn dealers, which is as follows:

	<i>Year 1956</i>	<i>Year 1957</i>
Number of bushels of corn grown in Dillon County-----	¹ 535, 500	¹ 504, 000
Number of bushels of corn sold outside Dillon County----	¹ 15, 000	-----
Number of cattle in Dillon County (25 cattle farms)-----	¹ 4, 000	-----
Number of dairy farms in county (consisting of approxi- mately 800 commercial cows and 600 family cows)-----	12	-----
Number of hog farms in county-----	525	-----

(There are 2,100 brood sows in county, and estimating that each 4 brood sows would equal 1 hog farm, there would be approximately 525 hog farms that produce about 25,200 hogs to grow out.)

¹ Estimated.

We do not feel like the AMS corn reports are correct, for we know that Dillon County has 110,434 acres of cropland, and on this we have our allotted crops and all the other crops, which in some cases are estimated.

All crops are as follows:

	<i>Acres</i>		<i>Acres</i>
Cotton-----	22, 100	Gardens-----	¹ 1, 500
Tobacco-----	7, 448	Sweet potatoes-----	¹ 1, 000
Wheat-----	¹ 3, 000	Winter pasture-----	¹ 3, 000
Oats (followed by hay)-----	¹ 15, 000	Summer pasture-----	¹ 3, 000
Soybeans-----	¹ 3, 500	Hog pasture-----	¹ 1, 000
Peanuts-----	¹ 500	Idle land-----	¹ 5, 000

¹ Estimated.

With the above crops and idle land totaling 66,048 acres, and a total of 110,434 acres of cropland, we still have 44,386 acres of land to account for, and it is our belief that the most of this land was planted to corn. Our farmers reported approximately 42,000 acres of corn in recent survey, and we are inclined to believe this is about right. The AMS corn figures first allowed us was 26,000 acres, however we were able to get this adjusted to 32,522 acres for historical purposes. However, we understand that this AMS figure of 26,000 acres caused our country corn factor to be about 20 percent lower than it would have seen if we had used the 32,522 acres as our historical acreage, which we still believe is too low.

We are enclosing two data sheets called the 1958 corn allotment program sheet 58-C-3 and sheet 58-C-3A which shows the AMS figures I mentioned above.

Also, we would like to call your attention to silage corn mentioned on the enclosed sheets. It states corn production excluding silage corn. In our corn survey made in Dillon County, silage corn was considered, and we feel like our dairy farmers should be allowed to plant their corn for silage since no grain is harvested.

If I can be of any further assistance, please call on me.

With best wishes, I am

Respectfully yours,

J. C. HARTLEY,
Chairman, ASC Committee.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., December 11, 1957.

Hon. JOHN L. McMILLAN,
Member of Congress,
Florence, S. C.

DEAR CONGRESSMAN McMILLAN: Thank you for your letter of November 22, 1957, relative to the inclusion of Dillon and Horry Counties, S. C., in the 1958 commercial corn-producing area.

Under the provisions of section 301 (b) (4) of the Agricultural Adjustment Act of 1938, as amended, all counties in the United States in which the 10-year average production of corn, excluding corn used as silage, as adjusted for abnormal weather conditions, is 450 bushels or more per farm and 4 bushels or more per acre of farmland are included in the commercial corn-producing area for the next year. Any county which is adjacent to a county meeting the 10-year average test mentioned above was examined to determine if a township, or a minor civil division, in the county was producing and is likely to produce the

required amounts of corn according to law for inclusion in the commercial corn-producing area.

Since Dillon and Horry Counties are both adjacent to Robeson County, N. C., which met the requirements of a law for inclusion in the 1958 commercial corn-producing area on a county basis, it was necessary to determine the production of corn in the various townships in both Dillon and Horry Counties to determine if the production of corn, less silage, in one or more of the townships in each county was sufficient to meet the requirements of law of 450 bushels or more per farm and 4 bushels or more per acre of farmland in the township.

Upon investigation we find that Carmichael Township, in Dillon County, one of the highest corn-producing townships in the county, produced an average of 566 bushels per farm and 4.4 bushels per acre of farmland in 1956, and in 1957 the average production was 595 bushels per farm and 4.7 bushels per acre of farmland. The act further requires the Secretary to determine if the township is likely to produce the required amounts of corn in 1958. On the basis of the normal yield and recent acreage planted to corn, it was determined that the township was likely to produce the required amounts of corn in 1958. These determinations required the inclusion of Dillon County in the commercial corn-producing area for the 1958 crop year.

In Horry County we find that Bayboro Township, one of the highest corn-producing townships in the county, produced an average of 583 bushels per farm and 8.9 bushels per acre of farmland in 1956. In 1957 the average production was 540 bushels per farm and 8.2 bushels per acre of farmland. Thus, the township is producing the required amounts of corn in accordance with the provisions of law. The normal yield and recent acreage planted to corn also indicate that this township is likely to produce the required amounts of corn in 1958, thus also requiring the inclusion of Horry County in the 1958 commercial corn-producing area.

Since the production of corn in portions of Dillon and Horry Counties has reached such a high level that the counties must be included in the 1958 commercial corn-producing area as defined in the Agricultural Adjustment Act of 1938, as amended, it should be noted that this increased production is not the result of an increase in the acreage planted to corn, but the result of an increase in the yield of corn per acre of land planted to the crop. These increased yields are due principally to more intensive methods of cultivation, greater use of fertilizer, and the increased use of hybrid seed corn.

We hope this information will be of assistance to you, and want you to feel free to write to us at any time.

Sincerely yours,

MARVIN L. McLAIN,
Assistant Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., February 5, 1958.

Hon. JOHN L. McMILLAN,
House of Representatives.

DEAR CONGRESSMAN McMILLAN: Thank you for your letter of January 14, 1958, to which was attached a letter from Mr. D. M. Dew, Jr., president, D. M. Dew & Sons, Inc., Latta, S. C., relative to the inclusion of Dillon County, S. C., in the 1958 commercial corn-producing area.

The provisions of section 301 (b) (4) of the Agricultural Adjustment Act of 1938, as amended, provide that any county which borders upon a county which is included in the commercial corn-producing area on the basis of the 10-year average production of corn shall be examined to determine if any minor civil division in such county is producing an average of at least 450 bushels of corn per farm and an average of at least 4 bushels for each acre of farmland within the minor civil division. If it is found that any such county has a single township which is producing such amounts of corn and it is found that such township will likely produce such amounts of corn, the whole county must be included in the commercial corn-producing area.

Since Dillon County is adjacent to Robeson County, N. C., which met the requirements of law for inclusion in the 1958 commercial corn-producing area on a 10-year average production basis, it was necessary to examine the various townships in Dillon County to determine if the production of corn in 1 or more of the townships was equal to 450 bushels or more per farm and 4 bushels or more per acre of farmland within the township.

Upon investigation we find that Carmichael Township in Dillon County, one of the highest corn-producing townships in the county, produced an average of 566 bushels per farm and 4.4 bushels per acre of farmland in 1956, and in 1957 the average production was 595 bushels per farm and 4.7 bushels per acre of farmland. The act further requires the Secretary to determine if the township is likely to produce the required amounts of corn in 1958. On the basis of the normal yield and recent acreage planted to corn, it was determined that the township is likely to produce the required amounts of corn in 1958. These determinations required the inclusion of Dillon County in the commercial corn-producing area for the 1958 crop year.

Since the production of corn in portions of Dillon County has reached such a high level that the county must be included in the 1958 commercial corn-producing area as defined in the Agricultural Adjustment Act of 1938, as amended, it should be noted that this increased production is not the result of an increase in the acreage planted to corn, but the result of an increase in the yield of corn per acre of land planted to the crop. These increased yields are due principally to more intensive methods of cultivation, greater use of fertilizer, and the increased use of hybrid seed corn.

The inclusion of a county in the commercial corn-producing area does not require farmers to comply with corn allotments, since compliance is on a voluntary basis, but in failing to do so they will be ineligible for price support on corn and any benefits under the soil-bank programs. It is felt that these requirements are not too severe for those who desire not to comply with their corn allotments.

We hope this information will be of assistance to you and want you to feel free to write to us at any time.

Sincerely yours,

MARVIN L. McLAIN, *Assistant Secretary.*

Mr. McMILLAN. Are there any other questions that you care to ask, gentlemen?

Mr. FORD. Thank you very kindly.

Mr. McMILLAN. Thank you for helping us out with this problem.

The main question I wanted to ask so that I can give the people I represent an answer is as to who made the recommendation that these two counties be placed in the commercial corn area and whose figures were taken. I believe that you answered that with the crop reporting service rather than the ASC.

Mr. WALKER. And the United States census figures.

Mr. McMILLAN. Very well. The ASC committee chairman in Dillon cannot understand why you refused to take their figures of 40,000.

Mr. WALKER. I am sure he must be referring to the apportionment of the allotment to counties rather than the determination of commercial corn area. If we were to have taken those figures as they reported, in establishing a commercial corn area, they would have come in much stronger than they are now.

Mr. McMILLAN. You mean acres would have been cut? That is what they are worrying about.

Mr. WALKER. No; placing them in the commercial corn area would have been on a stronger footing.

Mr. McMILLAN. Where you take one township and declare the whole county in the area, you know you were acting within the law on that, but they cannot understand where you got the figures from, because of the amount of corn that is grown in the county as a whole. Not the amount that is grown per acre, but the amount that is grown in the county as a whole. They feel that they have been cheated out of a lot of acres of corn by somebody. You are permitted to take estimates for the purpose of the actual survey; is that right?

Mr. WALKER. The actual survey was not available when they were placed in the commercial corn area. As I explained before, you could

not have used the results of the survey for your 10-year stretch because it was not available for all the years in the 10-year period.

Mr. McMILLAN. Unless other members of the committee care to ask some questions, I will adjourn and see if we can get the information from the Department.

Mr. WALKER. We will do our best to get you some reply by this afternoon.

Mr. McMILLAN. And would you give us your views on a proposed bill?

Thank you very much for coming down and helping us out.

The hearings is adjourned.

(Whereupon, at 11 a. m., the hearings was adjourned.)

COUNTIES IN COMMERCIAL CORN-PRODUCING AREAS

WEDNESDAY, FEBRUARY 19, 1958

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON LIVESTOCK AND FEED GRAIN
OF THE COMMITTEE ON AGRICULTURE,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to notice, in room 1310, New House Office Building, Hon. W. R. Poage (chairman of the subcommittee), presiding.

Present: Representatives Poage (presiding), Hill, Hoeven, and Simpson.

Also present: Representatives McMillan, Hagen, Johnson, and McIntire; John Heimburger, counsel; Mabel C. Downey, clerk; Francis M. LeMay, staff consultant.

Mr. POAGE (presiding). The committee will be in session.

We have for consideration today a series of bills for the purpose of excluding certain counties in the United States from the commercial corn area. They will be included in the record at this point.

(H. R. 10762, H. R. 10754, and H. R. 10756 are as follows:)

[H. R. 10754, 85th Cong., 2d sess.]

A BILL To amend section 114 of the Soil Bank Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this section, no person shall be ineligible to receive payments or compensation under an acreage reserve or conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn-producing area and prior to the mailing to the farm operator of a notice of farm corn acreage allotment: *Provided*, That the foregoing provisions of this sentence shall apply only to a farm for which an 'old farm' corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

[H. R. 10756, 85th Cong., 2d sess.]

A BILL To exclude from the commercial corn-producing area thirty-eight counties in the United States during 1958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this section, no person shall be ineligible to receive payments or compensation under an acreage reserve or

conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm-acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn-producing area and prior to the mailing to the farm operator of the notice of farm corn acreage allotment: *Provided*, That the foregoing provisions of this sentence shall apply only to a farm for which an 'old farm' corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

[H. R. 10762, 85th Cong., 2d sess.]

A BILL To amend section 114 of Soil Bank Act for purpose of excluding certain counties in United States from the commercial producing area during 1958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this section, no person shall be ineligible to receive payments or compensation under an acreage reserve or conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn-producing area and prior to the mailing to the farm operator of a notice of farm corn acreage allotment: *Provided*, That the foregoing provisions of this sentence shall apply only to a farm for which an 'old farm' corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

Mr. POAGE. Congressman Ford from Michigan is with us, and he has a bill on the subject. We will be very pleased to hear from you, Mr. Ford as to the situation in your area.

STATEMENT OF HON. GERALD R. FORD, JR., A REPRESENTATIVE IN CONGRESS FROM THE FIFTH DISTRICT OF THE STATE OF MICHIGAN

Mr. FORD. Mr. Chairman and members of the committee, I appreciate the opportunity to testify on behalf of the bill sponsored by Mr. McMillan of South Carolina, one by myself and, perhaps, others.

Mr. POAGE. Mr. Grant has a similar bill.

Mr. FORD. The legislation is aimed at alleviating an inequity which developed in 1957 when 38 new counties in the country were designated as "commercial counties."

The problem in the one county that I represent, resulted in about this sequence: on October 4, it was the last day when farmers could sign up for their acreage reserve. I believe around 250 to 300 did sign up for the acreage reserve in that county.

On October 8, the announcement was made that these 38 counties were to be commercial corn counties, including Ottawa County in my district. This presented a very difficult situation in that, predicated on the acreage reserve agreement, many farmers had laid their plans for the following crop year. When the commercial corn designation become effective that drastically affected what many of these farmers

could do with their land. The suggestion came from the Department of Agriculture, "Well, why don't you plant spring wheat or some other crop so you will not be penalized?"

Well the fact of the matter is that we cannot plant in this county those kinds of crops.

I would like to read to the committee a letter which I addressed to the Secretary of Agriculture, on this problem, which I think pinpoints up the difficulty. This letter was dated January 22, 1958, to Hon. Ezra T. Benson, Secretary of Agriculture.

DEAR MR. SECRETARY: I am writing you this personal note after apparently exhausting all other avenues through administrative relief for certain farmers in Ottawa County, Mich., these farmers in good faith signed a contract to participate in the acreage-reserve program of the soil bank to restrict their plantings of wheat for the 1958 crop. They were advised in good faith by the local ASC committee that they would be permitted to plant and harvest any other crop than wheat without restriction.

Then on October 8, 1957, the Department of Agriculture designated Ottawa County as a new corn county.

It is essential to note that this date, October 8, is after the final date for signing contracts for cooperation in the acreage-reserve program.

It is more important to note that this date, October 8, is too late for the planting of winter wheat in Ottawa County. No spring wheat is grown in this county.

As a result of this late action on the part of the Department in getting out the announcement designating Ottawa County as a commercial corn area, many of the cooperating farmers are in a very serious difficulty. They cannot receive their payments for cooperating with the Government insofar as wheat is concerned, without reducing their corn acreage, a provision which was added to the requirement after the contract was signed, and after the farmers could have taken any effective action to alter their wheat acreage. In simple language the Government changed the rules after the game had started.

I enclosed a copy of an opinion by the General Council of the Department of Agriculture which indicates that the Soil Bank Act prohibits any administrative relief.

I did not realize that this same situation prevailed in other areas until Mr. McMillan called the matter to my attention in his area and in other areas. It seems to me that this bill, which Mr. McMillan sponsored, H. R. 10762, would alleviate the conditions in my county, Ottawa County, and apparently in all other counties.

Mr. POAGE. Mr. Grant, of Alabama, has about the same bill.

We have three bills on this.

The Department has approved the bills.

The bills do not take the counties out of the commercial corn area but, as I understand it, they simply say that those who signed the soil-bank contract will be bound in essence by the conditions that existed at the time of signing them, rather than by changed conditions. Isn't that what the bills do?

Mr. FORD. That is the intent as I understand you.

Mr. McMILLAN. Does this take care of your situation?

Mr. FORD. Yes, it does.

Mr. POAGE. I didn't mean to stop you.

Mr. FORD. I think that is the gist of the problem and the kind of relief that we need, in order to get over this 1 year.

Mr. POAGE. I wonder if Mr. McMillan would like to have something to say?

Mr. McMILLAN. I think Mr. Ford has explained it as well as I could.

Mr. POAGE. The problem is the same in North Carolina and Virginia?

Mr. FORD. There is one other county in Michigan, Bay County, which was included in the new commercial corn areas. We have checked with Mr. Cederberg of that district, and, apparently, he has received no complaints. Maybe they have an alternative crop that they can put in which would alleviate their situation. I think an all-inclusive bill such as the one submitted here would give an opportunity for equitable relief if something does develop in the future.

Mr. McMILLAN. It affects counties in my district under the commercial corn area. It is because one little township in the county happens to grow a little more corn than he should on the average of 10 years, also, because of the adjoining county in North Carolina is a commercial corn county, we were put in. I don't think any corn was ever sold outside of my corn area. It happens to be one little township there.

Mr. POAGE. As I understand it, your problem is you feel that the county should never have been included in the commercial corn area in the first place.

Mr. McMILLAN. That is what I am talking about. If I can get some explanation on that I would not be in this position.

Mr. POAGE. They feel that they should not have been included after the signup.

Mr. FORD. That is right. They are caught in the bind just because of the sequence of events. I think next year if everybody realizes it will be a commercial corn area then they can adjust their signing under the soil bank accordingly. But in this year, this crop year, I mean, they signed up with one understanding, and 4 days later the rules were changed.

Mr. POAGE. I should hope that next year we do not have the commercial corn area. But we have it now. These bills would only deal with this year's situation. They would not give any relief next year.

Mr. McMILLAN. I think we should have an overall farm bill.

Mr. POAGE. I hope that we will have an overall farm bill. I think we should.

Are there any questions?

Mr. SIMPSON. What do you think about being able to handle this if this becomes a public law, due to lack of funds? Are there any funds involved in this?

Mr. FORD. None whatsoever.

Mr. SIMPSON. In other words, where we appropriated \$500 million, they spent \$630 million the year before, where they had asked for \$750 million. Down in my area and the cotton area, they have a shortage of funds. That would not affect this.

Mr. FORD. I do not think it would, so far as I can visualize it.

Mr. JOHNSON. Your wheat people are signing up?

Mr. FORD. That is right. They signed up October 4. And then October 8 the country automatically became a commercial corn area.

Mr. McINTIRE. This involves a question of eligibility for the acreage reserve on their acreage?

Mr. FORD. That is right. They signed so many acres for the acreage reserve, assuming that they could plant certain crops on other acreage. Then the commercial corn area ruling went into effect and they have another restriction on their acreage.

Mr. McINTIRE. The declaration of Congress of commercial corn areas was the instrument by which they were ineligible for their wheat acreage reserve payments, and this clears up that question.

Mr. FORD. It is a problem of cross compliance, I believe. Maybe I am saying the same thing a little differently, but they have had the restrictions. But because of the commercial corn restrictions on their other acres, and if they don't abide by those restrictions, then their program under the acreage reserve is likewise affected.

Mr. McMILLAN. Cross compliance comes into that?

Mr. McINTIRE. You cannot be eligible for the acreage reserve payment on wheat unless you are in compliance with your corn allotment.

Mr. FORD. That is right. Heretofore we have never had any restrictions on corn acreage.

Mr. POAGE. The Department does not object, sir, does it?

Mr. FORD. Well, I believe that they realize the inequity in the cases we have submitted to them, but they contend they have no legal authority to remedy the situation.

Mr. POAGE. But they do not object to the passing of this bill?

Mr. FORD. So far as I know they do not.

Mr. McMILLAN. My subcommittee had hearings a few days ago on this and the Department officials advised that they did not object, but they had no authority.

Mr. POAGE. Do you have a letter from the Department on this?

Mrs. DOWNEY (clerk). No, Mr. Poage. The Department representative was supposed to be here on the day scheduled for this hearing. That was canceled. And the Department was closed yesterday. And we were only able to get the representatives this morning and they will be here any moment, and are to submit a report to this committee.

Mr. POAGE. Every one of them is in the same shape. Some who can grow wheat, it does not make any difference to them. But those that cannot, they are caught. Many of them signed up under the soil bank, put their wheatland into the acreage reserve with the understanding it would not interfere with their plantings of anything else. Four days later they were brought inside of the area and now they cannot plant corn that they expected to plant.

Mr. JOHNSON. I wonder if the Department told them that they could sign up for corn, what they would do?

Mr. POAGE. They would not sign them up.

Mr. JOHNSON. They signed up under the wheat program.

Mr. SIMPSON. They didn't sign them up in Illinois.

Mr. POAGE. They are just putting names on the list. That is what they are doing with cotton. If there is nothing further we are very much obliged to you, Mr. Ford. We appreciate your bringing the matter to our attention.

Mr. FORD. If the committee is favorably disposed, I think time is of the essence.

Mr. McMILLAN. That is certainly true.

Mr. FORD. Thank you very much, Mr. Chairman and members of the committee.

Mr. POAGE. We have members of the Department who will be here this morning. We have an executive session this morning, but I think we might proceed with the witnesses from the Department and hear from them.

Come right up, gentlemen; we will be glad to hear from you. We have bills introduced by Mr. Ford and Mr. McMillan and Mr. Grant. All of these bills, I believe, are identical and all seek to achieve the same results, that is, to make it possible for those people who are in counties that have been brought into the commercial corn area to operate under the same soil-bank rules that were in existence last year. It was our understanding, at least it was my understanding, that the Department had no objection to these three bills. Are you familiar with the bills?

STATEMENT OF HOWARD DOGGETT, SOIL BANK DIVISION, COMMODITY STABILIZATION SERVICE; ACCOMPANIED BY RAYMOND J. POLLOCK, DIRECTOR, GRAIN DIVISION, COMMODITY STABILIZATION SERVICE; CLAUDE COFFMAN, ATTORNEY, GENERAL COUNSEL'S OFFICE; AND THOMAS B. WALKER, GRAIN DIVISION, UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. DOGGETT. Mr. Chairman, as I understand it, the Department has not officially cleared this thing yet, but I believe that we are in agreement with these bills.

Mr. POAGE. Can we get this thing cleared?

Mr. DOGGETT. I think we could get it up today.

Mr. POAGE. Fine.

Mr. DOGGETT. In which the Department will approve this. Is that your understanding of it?

Mr. POLLOCK. I think so; yes.

Mr. DOGGETT. I haven't had a chance to read the bill myself. We were in agreement down there that so far as these new commercial corn counties were concerned, that contracts, whether they be acreage reserve or conservation reserve contracts that were entered into prior to the formation, or the designation of that country as a commercial corn county, should not have to comply with the part of the law which says that all allotments need to be complied with.

Mr. POAGE. I think that is the best thing to do. They all seek to do exactly that same thing—all of these bills.

Mr. Coffman, have you read these bills?

Mr. COFFMAN. Yes.

Mr. POAGE. That is what they do?

Mr. COFFMAN. That is right.

Mr. POAGE. Is there any further comment that the Department might make on the matter?

Mr. DOGGETT. I do not believe so, Mr. Chairman.

Mr. POAGE. It is all right. I do not mean to ask you to say anything more if you do not want, but if there is anything you would like to say we will be glad to hear from you. If there is not, we are very much obliged to know we will hear from you, since you have told us what we want to know now.

Mr. HILL. Would you give in some detail with what sections of the country these bills deal?

Mr. POAGE. Here is a map that shows it.

Mr. WALKER. If you will look in the left-hand lower corner of this map, entitled "1958 Corn Area," you will notice Alabama is listed with 9 counties, Florida with 5 counties, Georgia with 14 new counties,

Michigan with 2, Missouri with 1, South Carolina with 2, and Virginia with 5. Those are the areas that would be affected.

Mr. HILL. These are the only ones that would be affected—the ones that you have on this list?

Mr. POAGE. That is correct.

Mr. JOHNSON. This is for 1 year?

Mr. HILL. This affects it only for 1958?

Mr. COFFMAN. Congressman Hill, with respect to the conservation-reserve program this would continue to be the case. This is only 1 year, for the acreage reserve. But for the people who sign conservation-reserve contracts or have already signed them, this would continue to apply for the life of their contract.

Mr. POAGE. The point is that for somebody who signed up for so many years in the conservation reserve this would be good as long as the soil-bank contract lasts.

Mr. SIMPSON. This is just for 1 year?

Mr. DOGGETT. There is 1 point, in the case of the conservation reserve there was a soil-bank base or a depleting base established for the farm. And of course, he will have to observe that restriction, which means that if he had 100 acres of depleting base left after signing his conservation-reserve contract, he can only grow 100 acres of corn. His allotment may be only 20 acres, or 60 acres or something else, but he cannot expand his small grain acreage above what he had.

Mr. POAGE. That is a signed contract?

Mr. DOGGETT. That is correct.

Mr. POAGE. That is the rule in the noncommercial as well as in the commercial corn area?

Mr. DOGGETT. That is correct.

Mr. POAGE. It does not impose any special burden on him by having been put into the commercial corn area after the establishment of the soil bank?

Mr. DOGGETT. If he had been growing—had made a practice of growing 50 acres of corn, let us say, and his allotment now becomes 30 acres, then he is barred from growing that additional 20 acres of corn. It applies only to corn, because that is what happened here, is that he is subject to the allotment on corn when it becomes a commercial corn county.

Mr. COFFMAN. Section 114 provides that a producer cannot collect a soil-bank payment if he exceeds any one of his allotments. And that applies both to the conservation and acreage reserves. If he signs the conservation-reserve contract with the Government, and then his county is put into the commercial corn area; the way the law reads now he would lose his payments, because he has exceeded his corn allotment. That amendment, however, would say that if he has already signed up a conservation-reserve contract with the Government, before his county is in the commercial area, then he does not need to comply with that corn allotment in order to get his soil-bank payment.

Mr. POAGE. That is what I understood. And that is the way I understood it.

Are there any further questions?

Mr. HEIMBURGER. Mr. Coffman, although the title of the bill mentions 1958, actually if there is an acreage-reserve program in 1959, this provision would apply to that, also, would it not?

Mr. COFFMAN. That is true. I guess I have not made it quite clear that even in 1959, if a new county were to be designated, a man who had a conservation-reserve contract would not have to comply with that corn allotment, even though it is 1959, in the case of conservation reserve. And if there should be a 1959 acreage-reserve program then, of course, this amendment would, also, make the same provision with respect to 1959.

Mr. HEIMBURGER. That is what I want. Thank you very much.

Mr. POAGE. I want to ask you about the captions on these bills. They are all different. While the wordings of the bills, I understand, are identical, every one of them uses a different caption. Do you see any special advantage to any one of those?

Mr. COFFMAN. The one on H. R. 10756 disturbs me a little bit because the language is not quite consistent with the title.

Mr. POAGE. It does not exclude them from the commercial corn area.

Mr. COFFMAN. That is right. The other one is House Resolution 477. I am assuming that this will be made a bill.

Mr. HEIMBURGER. That should not be considered. That has been superseded by H. R. 10762.

Mr. COFFMAN. I would think that H. R. 10754 has the preferable title. I am only looking at three documents. Is there another one?

I think H. R. 10762 is a little bit misleading in the title, again, because it states that it is excluding certain counties.

Mr. POAGE. I know it does.

Mr. COFFMAN. The title is a little broader than the bill itself.

Mr. POAGE. I recognize that but I don't think the title——

Mr. COFFMAN. I think it is broader than the legislation goes.

Mr. POAGE. Than the bill?

Mr. COFFMAN. I am not prepared to speak on that. I was not aware of that.

Mr. POAGE. That is why I am asking you as a lawyer which one is drawn in the proper form?

Mr. COFFMAN. H. R. 10754 has the preferable title.

Mr. POAGE. I understand. If there is nothing further on this matter, we are very much obliged to you for making the trip over the arctic ice pack to get up here.

Mr. McMILLAN. I am certain you all know about the difficulties existing in my district. Will this bill give any counties any relief at all? However since it will help Mr. Ford's counties, I will go along with it.

Mr. WALKER. This bill would do the same thing for the two counties in South Carolina that it does for all 38 of them.

Mr. McMILLAN. We do not have any wheat of any consequence. Will this take care of cotton and corn allotments? Did you have to sign up before January 1. Does that make any difference?

Mr. WALKER. I haven't read the bill.

Mr. COFFMAN. Maybe I should speak to this. This bill does not cover the spring planted crops.

Mr. JOHNSON. This will take care of winter wheat.

Mr. COFFMAN. This would take care of conservation reserve, and I think the thinking behind it is that people who have spring-planted crops will know they are in the commercial area and will know that they are subject to an allotment at the time they come in to sign up. Whereas, this bill is designed to take care of those producers who

find the situation different than it was when they signed up their contract.

Mr. POAGE. What did you do, Mr. Doggett, about those people in South Carolina when they came in and wanted to sign up for cotton, in these counties that have been put in this commercial corn area, did you advise them that they were going to have to be in compliance?

Mr. DOGGETT. Oh, yes. They were advised because they then knew. They knew prior to January 13 that they were a commercial corn county. Then the same rules applied to them that applied to the others.

Mr. POAGE. You say they knew it. That is not what I asked you. I asked if you advised them. How did they know it?

Mr. DOGGETT. Yes; they knew it. The county committee had the information. It is in the contract.

Mr. POAGE. Did you tell them that? The mere fact that it is in the contract does not advise them of anything. You know if you have been in one of those county offices, when you go in to sign up that soil-bank contract, you do not read it. You have no opportunity to read it. As a practical matter it cannot be read because 50 other people are standing behind you and if you stop to read it you will be the man standing in the way of progress.

What I am asking is, Were those people actually and officially advised that this new contraption, putting them in the commercial corn area, had taken away from them certain rights they thought they had?

Mr. DOGGETT. I am reasonably sure that they are. I am reasonably sure they are, I repeat. I cannot say every county office advised every farmer of that fact.

Mr. POAGE. Were there any instructions to anybody to advise these people?

Mr. DOGGETT. That has been in the instruction ever since it started.

Mr. POAGE. What has?

Mr. DOGGETT. That they must live within all of their allotments. There is no exception.

Mr. POAGE. I understand, that is in the law. That is not what I asked you. I asked if you sent out instructions to these county committees, in these 38 counties, that were different from those sent to anybody else, because they were faced with a different situation? We were not in the commercial corn area. We didn't bother about it, and nobody said anything about it. Did your people say anything about it in South Carolina.

Mr. WALKER. Mr. Chairman, I have in front of me a sample letter that was sent out to all of the farmers on the listing sheets within these two counties in South Carolina. I would like to read it.

Re: How Your Corn Allotment Affects You

Since this county has been determined to be a commercial corn county, it was necessary to establish a corn allotment for each farm in the county which has been growing corn in the past.

Corn is not subject to marketing quotas and if you exceed your corn allotment you will not be required to pay marketing quota penalties as in the case of tobacco, cotton, wheat, rice, and peanuts. The only penalty for exceeding your corn allotment is in connection with soil-bank programs and the price-control program for corn.

If you participate in the soil-bank program and exceed any allotment established for your farm, including corn, you are not eligible to receive any payments under the soil-bank program. If you exceed your corn acreage allotment you may or may not be, at the discretion of the Secretary of Agriculture, eligible

for price support on corn. However, you will not be denied price support on commodities other than corn because of overplanting your corn allotment.

If you have any questions regarding the effect which corn allotments have on your farming operations, please contact this office.

This was mailed out by the county committee.

Mr. McMILLAN. When was that mailed?

Mr. POAGE. When was that mailed out?

Mr. WALKER. I do not have the date that it was mailed out. I can obtain that for you. This is a sample copy.

(The data referred to above is as follows:)

Note.—This letter was mailed to farmers in Dillon County, January 30, 1958, and to Horry County, February 5, 1958. However, a similar notice was mailed to farmers in Horry County, on December 31, 1957.

Mr. McMILLAN. That was sent to those in my district. I think I was the first one to begin registering complaints with you about it.

I believe you stated in the meeting before my subcommittee the reason that you placed those two counties in the commercial corn area was that the Crop Reporting Service had some time during the past 10 years decided one township in each one of those counties that grew more corn, than they should.

Mr. WALKER. For these two counties the determination was based upon the estimates of production in 1956 and 1957. You see, they did not meet the requirements for inclusion in the commercial corn area on the 10-year basis. But on the other basis, which required an examination of current production of corn.

Mr. McMILLAN. Has your Department taken into consideration the fact that those two townships that were designated, came within an area of the county that were quarantined since witchweed had been located?

Mr. WALKER. I didn't quite get that question.

Mr. McMILLAN. Did your Department take into account certain areas in Dillon and Horry Counties were quarantined on account of finding witchweeds in those counties. I wonder if you people knew about this additional problem?

Mr. WALKER. I didn't. I am satisfied that those conducting the examination in the Department did not know about that.

Mr. McMILLAN. I wanted to point that out. They were quarantined, those counties designated as such.

Mr. POAGE. It is quite clear these bills are not going to do what we thought they would do.

Mr. McMILLAN. It will not in my two counties.

Mr. POAGE. The only place it will help is Mr. Ford's area where they grow winter wheat, but in other sections where they do not grow wheat it will not help.

Mr. JOHNSON. January 1 is past.

Mr. POAGE. What would the Department say about changing that date, so that it would affect these other counties?

Mr. COFFMAN. Of course, as Mr. Doggett explained earlier, they have not yet cleared a formal report on this bill, but I believe it is fair to say that the Department would oppose going any further than this on the basis that I stated earlier, I think that the Department feels that there is a reason for doing this for those producers who signed up the contract and then find that the situation is different than it was when they first signed their contracts. But I believe it

is fair to say that the Department feels that those farmers who have notice that they are in the commercial corn area and will have an allotment even though it is a new county, are really in no different situation than any of the other farmers who are in an older area.

Mr. POAGE. There is a different situation when you put counties in the commercial corn area who were not in it. Take the State of Iowa and the State of Illinois and the State of Indiana—when you made those commercial corn areas, there was no soil bank and they had nothing to lose by coming in the commercial corn area from the standpoint of not being able to plant their crops. It had no effect on them. When you are bringing counties in now it does have an effect on them. You are bringing in counties now that are just on the ragged edges, anyhow, that actually think they do not plant enough corn.

Every one of these counties that are involved are these low-corn-producing counties; every one of them is brought in because some community planted a certain amount of corn, but the counties themselves did not plant enough corn to become commercial. So they are just on the ragged edge of the definition. They have not been dependent upon corn and are not dependent upon corn now.

Mr. McMillan points out two counties in South Carolina that cannot even ship corn out, and yet you call them commercial although they cannot ship a bushel of corn out of the county.

Mr. McMILLAN. I do not think they ever have sold a bushel outside the county.

Mr. POAGE. Which is a rather strange situation. I do not mean to say that it does not comply with the existing law, but, certainly, you are faced with a different practical situation than when you included the State of Illinois, when you put them in commercial corn areas. You are in area where corn is not a major crop. Yet you are affecting their right to grow crops that are more important to them.

Mr. McMILLAN. I think we import as much corn as we make.

Mr. POAGE. I am sure that is right. What I am saying is that from an equitable standpoint, not from a purely legal standpoint—from that standpoint you can do what you have, you have doubtless complied with the law—that is the only reason we are trying to talk about changing the law. Why should the Department be so stiff-necked about trying to get some relief for some people who do not want to be in the commercial corn area, anyhow? Why do you insist on bringing them in, anyhow? I know you have to do it unless we change the law. I am not arguing that point. But why are you objecting to changing the law? Why wouldn't you be willing to recommend that we leave all of these counties out?

Mr. WALKER. Mr. Chairman, may I comment on that? The provisions of law with respect to including or excluding counties from the commercial corn producing area does not take into account at all whether the corn is sold, or whether it is fed.

Mr. POAGE. We understand that.

Mr. WALKER. It takes into account the fact that corn was produced.

Mr. POAGE. We understand that. But we do not know that has not been the case. We are asking why you object to taking it into consideration now. We understand the law is not flexible; we understand it is harsh; we understand the law is operating to the injury of

a lot of innocent people; and we wonder why the Department objects to changing the law so that it will not do that.

Who will be hurt by changing it?

Mr. WALKER. We delayed our document announcing the commercial corn area some 3 or 4 weeks, during which time we did our best to dig up information that would exclude these 2 counties in South Carolina and also Peach County in Georgia from the area, but we couldn't do it.

Mr. POAGE. You tried to do it?

Mr. WALKER. Yes; we tried.

Mr. POAGE. Now you find you didn't have the power to do it, but this committee has got the power to do it, at least, Congress has, but you won't recommend that we try to do the thing that you cannot do—to try to find a way to exclude these counties. You know that we can pass a law to exclude them. We know it, too. You spent several weeks, you tell us, trying to find a way to exclude them, and you didn't find it. But you know the way right here. It won't take 5 minutes for the Department to tell this committee that you approve it. But no, you do not approve it. On the contrary, you are not willing for this committee to do what you have been trying to do for several weeks. It just does not make any sense to me. Let us find out why the Department objects to this committee doing a thing that they tried to do. What is the reason behind that?

Mr. HOEVEN. What difference will it make if we decide to do away entirely with the commercial corn area? What difference will it make?

Mr. WALKER. That wouldn't make any difference. In fact, that has been our recommendation, let us do away with the whole area.

Mr. POAGE. Why won't you recommend that we make these bills broad enough to do away with these restrictions in these counties? Let us find out why they are so unwilling to do away with it in this small area. They make the broad recommendation that we do away with the commercial corn area—that has been in the President's message. You find after weeks of effort that you could not do it for these particular counties. But you simply tell us, the committee and the Congress, that the Department tried to take these people out. You could not do so under the law as it now stands. I think we can take them out. But Mr. Doggett shakes his head.

Mr. DOGGETT. Let us get the record straight. You are talking about one thing and the bill itself is talking about something else. This bill does not go—

Mr. POAGE. We are talking about relief. We are talking about relief for these people. I do not think anybody cares how these people get it. They are hurting. I am not. It does not affect me in the least. But I see the injustice of the thing; so why not try to correct it?

Mr. DOGGETT. This bill applies only to soil bank and its effect on the soil bank. If you are talking about whether or not they come into commercial corn areas, this bill does not approve that even. That is an entirely different thing.

Mr. POAGE. Would you say that we leave them out of the commercial corn area?

Mr. DOGGETT. Would we not recommend that? We would have to, since we have asked that they all be taken out, all counties, everywhere, not just these 38.

Mr. POAGE. Well, if we get a bill up here taking the counties out by name, would you recommend that, if we did that?

Mr. DOGGETT. I would not know what the Department would do. That is clear out of my baliwick.

Mr. POAGE. What do you say, Mr. Walker?

Mr. WALKER. I do not know what the Department would do.

Mr. POAGE. I know, but what do you recommend?

Mr. WALKER. I am in no position to recommend anything until we get a bill and then we would have to prepare a report on it.

Mr. POAGE. All right; we will have to introduced another bill and call you back next week. That is all I know to do.

Mr. McMILLAN. We had Mr. Walker down before our committee. When you were down before the committee last week, didn't we request you to draw a bill that would exclude these counties?

Mr. WALKER. I believe last week you recommended that cross compliance with respect to corn be suspended in 1958. That is, compliance with soil bank on cotton and tobacco as well as wheat would not be affected because of overplanting the corn allotment. I believe that was your recommendation.

Mr. COFFMAN. All under the soil bank. All having to do with the soil bank.

Mr. McMILLAN. This bill does not do that.

Mr. COFFMAN. No; it does not. My understanding is that you wanted a draft of a bill which would go as far as the Department—

Mr. McMILLAN. That is right.

Mr. COFFMAN. Would be willing to go in this direction. While there has been no formal report on this bill, yet I believe that the Department would oppose making this amendment go beyond the stage that it is in now. The chairman has suggested, I believe, an entirely different proposal which is just to exclude all of these counties from the commercial corn area, I presume, for price supports, soil bank, or what not. I do not believe any consideration has been given to that.

Mr. POAGE. Why not? You know what Mr. McMillan's trouble is. You understood the trouble in those counties. Why not come up with something that will remedy it? Rather than come up with something that changes the law but does not change the situation.

Mr. COFFMAN. I do not know that the Department agrees that his counties are any different from any others except that they are new. In other words, this thing applied last year as well as this year.

Mr. McMILLAN. We didn't have cotton and tobacco in this.

Mr. COFFMAN. There were cretain new counties last year in which we had this same problem, in some of the winter wheat areas.

Mr. POAGE. Did they ask for any relief?

Mr. COFFMAN. I am merely saying that I am doubtful that the Department would concur in going any further than this bill.

Mr. McMILLAN. Why don't you give us some reason why the Department opposed giving this proposed relief?

Mr. COFFMAN. I tried as best I could to transmit their thinking; that is, that these farmers can participate in the soil bank or not. They have still not signed up. They can grow the crop rather than put it into the soil bank and I think it is the view of the Department

that in the case of the soil bank that they have benefited as much by growing the crop as by putting it into the acreage reserve program.

Mr. POAGE. You seem to ignore the fact that farmers cannot change their decisions every 2 weeks, that when legislation is passed, when they are told to do something, it is important that they be allowed to go ahead and do it. I did not vote for the acreage reserve in 1958. I opposed it. I said I was against it. But the majority of the House thought otherwise and the Department thought otherwise. And the President signed the bill and it became the law, and it is law. Therefore, the people were entitled to rely on it regardless of what Bob Poage thought about it.

They were entitled to act on it regardless of what Bob Poage thought about it. My views became unimportant when it became the law. Those farmers all over the country had a right to rely on the program which was written into the law, and they had a right to assume that they could do what the law told them they could do. And they began making their plans, not in October, not in January, but they began making their plans last July, what they were to grow. They had to make plans, because most farmers have to give consideration how to finance their crops. Most of them in my part of the country, if they haven't got their plans made by the first of January, they can't make a crop. It is too late.

Mr. McMILLAN. People do not grow corn in my district for sale. They grow enough for their own use. With the acreage they have been allotted they will have to sell out their livestock. I am sure of that. If they do not comply with the allotment they will not have the advantage of the soil bank on tobacco and cotton.

Mr. POAGE. That is correct. So I am surprised that the Department would be so determined to bring these people in and lay something on them. If they want to, I still raise the question, why don't they come up with an alternative? They know what the problem is. They know who is getting hurt. Why don't they come up and suggest how to give them relief?

Possibly these counties should be left in the commercial areas but I would like the Department to give me some reason for not taking them out from the commercial corn area. I know that is not what this bill does. I simply asked you why we don't adopt some other approach, if this bill does not do what we thought it would?

Mr. DOGGETT. We would have to explain to a corn farmer in Mr. Hagen's district why he should run under a different set of rules than in Mr. McMillan's district.

Mr. POAGE. You said they ought to operate under those rules in Mr. McMillan's district?

Mr. DOGGETT. We are talking about two different laws here. And I do not know which one to discuss. If you will tell me—

Mr. POAGE. We are not talking about any law, but to wipe out the entire corn area. Didn't the Secretary ask us to do that?

Mr. DOGGETT. That has not been done. But this law—no, it has not been done.

Mr. POAGE. I know it has not.

Mr. DOGGETT. This law will not affect that situation. If you take them all out then we have got this bill which would not be applicable.

Mr. POAGE. I am asking why you couldn't do it the other way. All we want is relief. We do not care whether it is done one way or an-

other way. You say you do not like to do it the way Mr. McMillan proposes. Why not do it another way?

Mr. DOGGETT. This is a different set of rules for the 38 counties that we are making an exception of because they came in this year.

Mr. POAGE. You have still a different set of rules for the 2,000 counties that never have been in the commercial corn area.

Mr. DOGGETT. Oh, yes, but then that is according to the law, too.

Mr. POAGE. Why don't they eliminate some of the rules? We don't give them a different set of rules. We give them the same set of rules for the 2,000 counties.

Mr. DOGGETT. You have to give us a bill to comment on.

Mr. POAGE. I think the only smart thing to do is to excuse you and thank you for coming down here and ask you to come back next week when we will have another bill introduced. You know what the bill will be. But if you can't talk about it until it is introduced and we will introduce it and ask you to come back again.

We are very much obliged to you gentlemen.

Mr. McMILLAN. I have one with me.

Mr. POAGE. I know. Your bill does not do what you want it to do. Now you know what you have got to do.

Mr. JOHNSON. In arriving at whether a county comes under the commercial corn area do you consider the sweet corn grown?

Mr. WALKER. It is not included in the estimate.

Mr. JOHNSON. I thought in some of the Southern States that it was.

Mr. WALKER. It is field corn excluding silage.

Mr. POAGE. Are there any further questions?

If not, you are excused.

We will have another meeting on the same thing tomorrow.

Mr. DOGGETT. Ten o'clock tomorrow?

Mr. COFFMAN. This bill that you have in mind——

Mr. POAGE. I do not think it would help to talk to us about it this morning. We will introduce the bill and hear from you tomorrow morning.

Mrs. DOWNEY. We have a short meeting in the morning of 10 to 15 minutes at 10:30.

Mr. POAGE. We will meet at 10 o'clock, and hear them before 10:30.

The open session will adjourn. We will go into executive session.

(Whereupon, at 11:05 a. m., the subcommittee went into executive session.)

COUNTIES IN COMMERCIAL CORN-PRODUCING AREAS

FRIDAY, FEBRUARY 21, 1958

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON LIVESTOCK AND FEED GRAIN
OF THE COMMITTEE ON AGRICULTURE,
Washington, D. C.

The subcommittee met at 10:10 a. m., pursuant to recess, in room 1308, New House Office Building, Hon. W. R. Poage (chairman of the subcommittee) presiding.

Present: Representatives Poage (presiding), Hill, and Simpson.

Also present: Representative McMillan; John Heimburger, counsel; Mabel C. Downey, clerk.

(H. R. 10843 is as follows:)

[H. R. 10843, 85th Cong., 2d sess.]

A BILL To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this section—(1) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for 1958 by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if the county in which such farm is located is included in the commercial corn producing area for the first time in 1958; (2) no person shall be ineligible to receive payments or compensation under a conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn producing area: *Provided*, That the foregoing provisions of this sentence shall apply only to a farm for which an 'old farm' corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

Mr. POAGE. The committee will please come to order.

We are here for further consideration of the legislation considered day before yesterday relating to the requirement of cross compliance in those counties that were brought into the commercial corn area for the first time this year.

Mr. McMillan has introduced a new bill.

Mr. HEIMBURGER. This is not the new bill. This is the old bill, Mr. Chairman.

Mr. POAGE. That was introduced the 17th of February.

Mr. HEIMBURGER. Mr. Chairman, I can tell you what the new bill intends to do while we are getting it up here.

The new bill says—let me start off this way. With respect to the conservation reserve contracts the provisions of the new McMillan bill are precisely the same as the previous one. Anyone who has entered into a conservation reserve contract prior to January 1 of the year in which his county is made a commercial corn county would have that contract unaffected by the fact that he was thereafter under acreage allotments on corn.

As to the acreage reserve contracts, the bill simply provides that no person shall be ineligible to receive payments under an acreage reserve contract in 1958 merely by virtue of the fact that he has overplanted his corn allotment, if the county in which his farm is situated was put into the commercial corn area for the first time in 1958.

Mr. POAGE. In other words, it simply does not require cross compliance. It would simply suspend that provision for 1958 only as to all of the 38 counties which were brought into the commercial corn area this year.

Mr. McMILLAN. It is not compulsory.

Mr. HEIMBURGER. It is entirely optional and it does not take the counties out of the commercial corn area. Mr. McMillan. It simply waives the requirement in the Soil Bank Act that they must be in compliance on all of their acreage allotments.

Mr. McMILLAN. They do not have to use this bill, do they?

Mr. HEIMBURGER. It would be up to the individual, Mr. McMillan. He could use his option.

He either signs up in the soil bank or he does not, but if he signs an acreage reserve contract to put cotton or tobacco or some other crop in the soil bank, he will not be deprived of his payment on account of the fact that he might overplant his corn allotment this year, and this year only.

Mr. McMILLAN. That is what I thought, but I wanted to be certain.

Mr. POAGE. You are satisfied with the bill, Mr. McMillan?

Mr. McMILLAN. Yes. I wanted to be certain that was included.

Mr. POAGE. Mr. Doggett, have you had time to understand what the bill is?

STATEMENT OF HOWARD DOGGETT, SOIL BANK DIVISION, COMMODITY STABILIZATION SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE; ACCOMPANIED BY RAYMOND J. POLLOCK, DIRECTOR, GRAIN DIVISION, COMMODITY STABILIZATION SERVICE; CLAUDE COFFMAN, ATTORNEY, GENERAL COUNSEL'S OFFICE; AND THOMAS B. WALKER, GRAIN DIVISION

Mr. DOGGETT. Well, I think so, Mr. Chairman. We discussed this. If we had had this bill the other day, I think that we could have stated the Department's position on it.

We discussed this situation exactly as it is in this bill, and it was the Department's feeling that we were making a separate set of rules for these 38 counties that was not justified. It is not fair to the person who was in the acreage reserve or in the commercial corn county rather, prior to January 1 to make him live with his corn allotment in order to be eligible for acreage reserve payments and let these other folks not do so. Although they have only recently been notified, there

is no compulsion on them to sign tobacco or spring wheat or cotton acreage reserve agreement if they don't want to live with their corn allotment, and we think that they should make the choice, and if they choose to come into the acreage reserve for any of the other commodities, then they should follow the same rules that the rest of the corn people have to do.

Now that is the reason for objecting to this approach.

Mr. POAGE. Mr. Doggett, isn't it true as Mr. Walker said the day before yesterday, that the Department spent 2 weeks or more trying to find a way in which you could relieve these people of that burden?

Mr. DOGGETT. No, I do not think Mr. Walker meant that. He can speak for himself, but I think the Department was trying to keep from creating more commercial corn counties. I do not think that we want to do that ever.

Mr. WALKER. That is what we were talking about. We have got to find a means by which we can keep these counties from coming into the commercial corn area.

Mr. POAGE. You did that, then, because you felt there was some question about whether these ought to be in the commercial corn area or not?

Mr. WALKER. In a general way.

Mr. POAGE. These are marginal counties, aren't they?

Mr. WALKER. Certainly.

Mr. POAGE. Not a one of them came in because the county produced enough corn to bring it in the commercial corn area, did it?

Mr. WALKER. That is right.

Mr. POAGE. There wasn't 1 of them that produced enough corn in the county to bring it into the commercial corn area, but 1 civil division in each 1 of these counties, maybe there was 2 in some of them, I don't know.

Mr. McMILLAN. One.

Mr. POAGE. One civil division produced a substantial amount of corn in each county?

Mr. WALKER. That is right.

Mr. POAGE. And consequently brought the county in?

Mr. WALKER. And we couldn't do anything about it. We had no alternative.

Mr. POAGE. I understand you couldn't, but there is an alternative here before this committee. You are talking to the people who wrote the law and you are talking to the people who can change the law, and so we do not have to say that we are bound by the law.

We wouldn't have you up here if we were just talking about what the law is. If we did not consider changing the law there wouldn't be any purpose in you gentlemen coming here.

Simply to tell us that the law keeps you from doing it is the reason you are here, not the reason you should not be here. You are here because the law does keep you from giving relief. We have the power to change the law, that is, the Congress has that power.

Now the question is not what the law is, but the question is what we ought to do. We understand that you followed the law. We are not charging you, Mr. Doggett, or anybody else with violating or evading the law. We are giving you credit for trying to comply with the law.

But we think that the compliance is working a hardship, and I gather that you think so too.

Mr. WALKER. In the last session, Wednesday, you were talking about eliminating all of these 38 counties from the commercial area as a means to do that.

Mr. POAGE. I offered that as a suggestion, and I think I made it quite clear that I was not saying that that was necessarily the way to approach it, but that all we wanted to do was to get relief for these people, and certainly we were not telling you that that was the only way.

We were simply grasping. You did not offer any suggestion to us as to how to give these people relief.

You just told us the law would not allow you to give relief to them and we agreed with you that it wouldn't. So we began to cast about to find some way to give them relief, and it is true that I made the suggestion, just take them out of the commercial corn area. I do not think you ought to charge me and charge this committee with the determination that they have got to come out of the commercial corn area if you can present any more practical way of doing it, and it seems to me that this bill does present a more practical and a better approach than just taking them out of the commercial corn area.

Mr. WALKER. On the basis of that suggestion, Mr. Chairman, we contacted the State offices to obtain the signup data on the acreage for corn and for other commodities to see what the problem was, that is the scope of the problem. And we find, Mr. McMillan, that in South Carolina in these 2 counties you have 653 corn acreage agreements already signed for the soil bank, and there are 109 on the waiting list. They have exhausted their funds.

Mr. McMILLAN. I have letters from both the ASC committees in those two counties and they tell me that the farmers are in the worst squeeze they have ever been in during their lifetime on account of this one order placed in those counties in the commercial corn area, and they further state that there has been no corn sold out of those counties and they import much more than they make, and the only reason they are objecting is because the corn allotment is being cut down so low they won't have enough feed. They will have to sell the majority of their cattle and hogs that they have on hand at the present time.

Corn is not a money crop in my district. What they are interested in as a money crop is tobacco, cotton, and sweetpotatoes.

Mr. WALKER. You also indicated that there was such a small signup on wheat that the bill as under consideration last Wednesday would not give you any relief down there. So I checked up on that, and found in Dillon County there are only 58 farms signed up on the wheat acreage reserve agreement, and only 28 in Horry County.

I have the data here someplace on the number of wheat-producing farms.

Mr. McMILLAN. Average size farm I know in Horry County is 35 acres.

Mr. WALKER. In 1957 for Dillon County there were 531 farms producing wheat. There were 865 farms in 1957 that produced wheat in Horry County. Now out of all of those farms, you only have 58 signed in Dillon County and only 28 in Horry County. The acreage planted in Dillon County by these farms in 1957 was 3,336 acres.

Mr. POAGE. That is 6 acres average.

Mr. WALKER. Something like that, and in Horry County it was 2,905 acres, so they are very small.

Mr. POAGE. So there would be no wheat to be sold. They are just growing wheat for their own family use.

Mr. McMILLAN. The same way with corn.

Mr. HEIMBURGER. Mr. Chairman, since Mr. Walker has brought up the point of the number of corn acreage reserve contracts which have been assigned in these two counties in South Carolina, may I inquire of Mr. Coffman if he believes there is anything in this language which would in any way prevent those farmers who elected to do so from going ahead with their corn acreage reserve contracts?

Mr. COFFMAN. No.

Mr. HEIMBURGER. I certainly did not intend that there should be.

Mr. COFFMAN. It would, however, if you excluded the 38 counties.

Mr. HEIMBURGER. Yes; if we had gone in that direction it would have done so; yes.

Mr. POAGE. Do I understand that the Department opposes this bill?

Mr. DOGGETT. I think that is right, Mr. Poage. There is this part that has to do with the conservation reserve, although I do not know that it is entirely fair in that regard. You take them up to January 1, conservation reserve contracts signed after January 1 which would be the same as the acreage reserve contracts, because they were not signed or offered until after January 13, you would let them in and you would exclude the conservation reserve man who came in after January 1.

He would have to comply but I do not know that that is particularly pertinent to our position right now.

Mr. POAGE. Well, is there any relief that the Department would recommend to these people?

Mr. DOGGETT. We are perfectly willing to go along with this 10762.

Mr. POAGE. That does not have the slightest effect in these counties, does it?

Mr. DOGGETT. It affects all of those people that Mr. Walker mentioned who signed winter wheat contracts.

Mr. POAGE. About 20 in each county.

Mr. WALKER. Twenty-eight in Horry County and fifty-eight in Dillon County.

Mr. POAGE. It affects 86 people in the 2 counties.

Mr. DOGGETT. That is correct.

Mr. POAGE. Mr. Walker, have you got the number of cotton contracts in those counties?

Mr. WALKER. I have them here if you will pardon me a moment. In Dillon County 225 farmers have signed the cotton contract for the acreage reserve program.

In Horry County 893 farms have signed, making a total for the 2 counties of 1,118 farms.

Mr. POAGE. As against 86 for wheat.

Mr. WALKER. That is correct.

Mr. POAGE. In other words, that is about 12 or 13 times as many farmers are interested in cotton as in wheat in those counties.

Mr. WALKER. But you have 271 additional farms in Dillon County that would sign. They are on the waiting list for a cotton contract, and in Horry County 491, making a total of 762 farms that offered

the contract for cotton but due to lack of funds they are on the waiting list. These are in addition to the agreements signed.

Mr. DOGGETT. Do you have the tobacco, too? There is a lot of contracts on flue-cured tobacco down there. I do not have it by counties. Tom got these figures over the phone.

Mr. WALKER. In Dillon County there are 130 farms that have signed the reserve acreage agreement for tobacco, and 67 farms in Horry County, making a total of 197 farms for the two counties. There are 21 farms on the waiting list for Dillon County and 12 in Horry County that have offered to contract.

Mr. POAGE. Now of course you do not have any contracts with the peanut farmers.

Mr. McMILLAN. We do not grow any peanuts of any consequence for commercial use.

Mr. POAGE. Well, don't bother about them then. I think it is quite clear from what you have shown here that this bill would give these people relief only where they don't need relief.

It gives them relief where they are not suffering, and fails to give them relief where they are suffering. Doesn't it seem that way to you, Mr. Doggett?

Mr. DOGGETT. We do not think they suffer any more than anyone else, Mr. Poage.

Mr. POAGE. You are willing to say the man in the wheat growing area suffers?

Mr. DOGGETT. Because he signed the contract prior to the time he knew the rules. We changed the rules on him after he signed his contract. The other man signed his contract after he knew what the rules were.

Mr. POAGE. I know, but he had no chance to adjust himself to the new rules.

It is perfectly true that you published the new rules in the Federal Register, but he never heard of the Federal Register. You told him in July that he could make his plans to put so much in the soil bank and he knew the rules and he had known them for months.

Then it is true that theoretically, sometime in January he was notified that he could not go ahead and do what he had been planning to do.

Actually, he was not even notified then because you know and I know that he walked up there in that line to the courthouse to sign up, he did not have an opportunity to stop and read the new rules.

There just was no such opportunity because, as Mr. Walker has pointed out, there were people waiting in line in every one of those counties to sign up.

You do not stop and read a long contract of that kind when there is a bunch of people behind you waiting to sign up. You go ahead and sign it. So the practical thing is that he did not know those rules, although he had legal notice of the rules, I am quite sure of that, that he was charged with having read the record just as I am charged with notice of any deed that is filed in the county courthouse.

I do not know what deeds have been filed, but I understand the law requires me to be charged with that notice, and I understand that this man was charged with this notice. He did not have any more notice than the man in Mr. Ford's area had. But he is charged with it.

Not legally he is bound and unless we take some legal action he is bound.

Why shouldn't we take some legal action to do equity instead of simple hewing to the letter of the law?

Mr. DOGGETT. Mr. Chairman, I think these farmers are better informed than we give them credit for.

Mr. Walker is the one that talked to these county committees down there, but I believe they told him that they would have a lot more signers for cotton and tobacco acreage reserve contracts than they had if they didn't know that they had to comply with this corn allotment. I think they know it all right.

Mr. POAGE. I cannot see how they could know it, and even if they did know it, they could not have known it until in January.

Mr. McMILLAN. Did you call your ASC committees in Horry and Dillon Counties?

Mr. WALKER. I didn't talk to them personally. Two fellows in my office called the State committee. You are talking about yesterday. They called the State committee yesterday to obtain from the State office this material that I presented this morning.

Mr. McMILLAN. The county ASC committees were the first to contact me. There are about a hundred farmers from each of those counties that have written or telephoned me.

Mr. POAGE. Well, the Department has expressed itself.

Do you want to ask any further questions?

Mr. McMILLAN. No. They seem opposed to my bill.

However they state they cannot grant—

Mr. POAGE. Does anybody else want to ask any questions? If not, we thank you all for your adverse opinion. We will try to give it appropriate consideration.

Mr. McMILLAN. We are really accustomed to the Department doing that in South Carolina.

Mr. POAGE. We are much obliged to your coming down, gentlemen. Without objection, we will put this report from the Department into the record.

(The report referred to is as follows:)

DEPARTMENT OF AGRICULTURE,
Washington, D. C., February 21, 1958.

Hon. HAROLD D. COOLEY,

Chairman, Committee on Agriculture,

House of Representatives.

DEAR CONGRESSMAN COOLEY: This is in response to a request for a report on House Resolution 477 which amends section 114 of the Soil Bank Act by providing, in effect, that no person shall be ineligible to receive compensation under an acreage-reserve or conservation-reserve contract by reason of the fact that the corn acreage on his farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn-producing area and prior to the mailing to the farm operator of a notice of the farm corn acreage allotment.

The foregoing would apply only to a farm for which an old-farm corn allotment is established for such first year. The resolution also provides that a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located is included in the commercial corn-producing area for the first time in 1958 and which is reinstated, shall be deemed to have been entered into as of the original date of the execution of such contract.

The Department of Agriculture feels that if the intent of House Resolution 477 were enacted into legislation it would correct some inequities which now exist among some farmers. There are 38 counties in the 1958 commercial corn

area which were not in the 1957 commercial corn area. A farmer in one of these new counties who had entered into an acreage-reserve agreement or conservation-reserve contract prior to January 1 and prior to the mailing to him of a notice of farm corn acreage allotment should not be disadvantaged as a result of such subsequent change in the status of his producing area. Consequently, any farmer who was in a noncommercial corn county at the time he signed an acreage-reserve agreement or conservation-reserve contract should be permitted to retain the benefits of such soil bank contracts without regard to such later developments.

Sincerely yours,

MARVIN L. McLAIN, *Assistant Secretary.*

(Whereupon, at 10:30 a. m., the subcommittee adjourned.)

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LEGISLATIVE HISTORY
Public Law 85-369
H. R. 10843

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Index and Summary of H. R. 10843

Feb. 19, 1958 Rep. McMillan introduced H. R. 10843 which was referred to House Agriculture Committee. Print of bill.

Feb. 21, 1958 House subcommittee ordered H. R. 10843 reported.

Feb. 24, 1958 House committee ordered H. R. 10843 reported.

Feb. 25, 1958 House committee reported H. R. 10843 without amendment. Print of bill and House Report No. 1382.

Feb. 28, 1958 Senator Holland, and others, introduced S. 3385 which was referred to the Senate Agriculture and Forestry Committee. Print of bill.

Mar. 3, 1958 House passed H. R. 10843 without amendment.

Mar. 4, 1958 H. R. 10843 referred to Senate Agriculture and Forestry Committee. Print of bill as referred.

Mar. 6, 1958 Senate committee ordered S. 3385 reported with amendment.

Mar. 11, 1958 Senate committee reported S. 3385 with amendment. Print of bill and Senate Report No. 1372.

Mar. 17, 1958 Senate passed H. R. 10843 with amendment in lieu of S. 3385. S. 3385 was indefinitely postponed.

Mar. 19, 1958 Both Houses appointed conferees.

Mar. 24, 1958 Senate agreed to conference report.

Mar. 25, 1958 House received the conference report. House Report No. 1559.

Mar. 27, 1958 House agreed to conference report.

April 7, 1958 Approved: Public Law 85-369

HEARINGS: House Agriculture Committee; Feb. 1958.

DIGEST OF PUBLIC LAW 85-369

SOIL BANK PAYMENTS TO PERSONS EXCEEDING CORN ACREAGE ALLOTMENTS.

Amends Sec. 114 of the Soil Bank Act so as to provide that no person shall be ineligible to receive compensation under an Acreage Reserve contract for 1958 if the corn acreage on the farm exceeds the farm acreage allotment for corn, if the county in which such farm is located is included in the commercial corn-producing area for the first time in 1958, and that no person shall be ineligible to receive payments under an Acreage Reserve contract for any year subsequent to 1958 or a Conservation Reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn, if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn-producing area. These provisions apply only to farms with "old farm" corn allotments. Contracts which have been terminated by producers because the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958 and which is reinstated shall be deemed to have been entered into as of the original date.

H. R. 10843

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 1900.

OF WHICH THE HOUSE HAS PASSED A RESOLUTION TO THE EFFECT
THAT IT DO PASS

A BILL

TO AMEND AN ACT OF THE 56TH CONGRESS, CHAP. 10, TO
REPEAL THE ACT OF APRIL 15, 1898,

AS AMENDED BY THE HOUSE AND SENATE, TO REPEAL THE

85TH CONGRESS
2D SESSION

H. R. 10843

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 19, 1958

Mr. McMILLAN introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 114 of the Soil Bank Act is amended by adding
4 at the end thereof the following:

5 “Notwithstanding any other provision of this section—
6 (1) no person shall be ineligible to receive payments or
7 compensation under an acreage reserve contract for 1958
8 by reason of the fact that the corn acreage on the farm
9 exceeds the farm acreage allotment for corn if the county in
10 which such farm is located is included in the commercial
11 corn producing area for the first time in 1958; (2) no per-

1 son shall be ineligible to receive payments or compensation
2 under a conservation reserve contract by reason of the fact
3 that the corn acreage on the farm exceeds the farm acreage
4 allotment for corn if such contract was entered into prior
5 to January 1 of the first year for which the county is in-
6 cluded in the commercial corn producing area: *Provided,*
7 That the foregoing provisions of this sentence shall apply
8 only to a farm for which an 'old farm' corn allotment is
9 established for such first year. For purposes of this provi-
10 sion, a contract which has been terminated by the producer
11 under the program regulations by reason of the fact that the
12 county in which the farm is located was included in the
13 commercial corn-producing area for the first time in 1958,
14 and which is reinstated, shall be deemed to have been entered
15 into as of the original date of execution of such contract."

85TH CONGRESS
2D SESSION

H. R. 10843

A BILL

To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

By Mr. McMILLAN

FEBRUARY 19, 1958

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued February 24, 1958
For actions of February 21, 1958
85th-2d, No. 27

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HIGHLIGHTS: House subcommittee ordered reported bills to exclude certain counties from commercial corn area. Sen. Yarborough introduced and discussed bill to increase cotton allotments and credit.

SENATE

1. FARM PROGRAM. Sen. Sparkman stated there was an agricultural depression, and inserted two letters from farmers on the problems of farm living and the need for long-term farm credit. pp. 2192-2
2. FOREST SERVICE. Received from the Comptroller General an audit report on Forest Service activities in Alaska, 1957. p. 2166
3. INSECT CONTROL. Agreed to S. Con. Res. 66 to make certain corrections in the enrollment of S. 1805, to grant relief to certain persons for expenses occurred in kaphra beetle eradication. p. 2199
4. DAIRY INDUSTRY. Received a Ky. House resolution urging legislation to support dairy prices at \$3.25 per cwt., and a parity equivalent for manufactured milk based on the 1946-8 period. p. 2166
Sen. Humphrey and Sen. Thyne inserted a letter from the Bigfork Valley Co-operative Creamery Ass'n, Minn., on the value of dairy farming and favoring assistance to the small dairy farmer. pp. 2167-8, 2190-2
5. TRADE AGREEMENTS. Sen. Malone inserted a series of articles opposing free trade and the extension of the Reciprocal Trade Agreements Act. pp. 2209-11

6. ELECTIRIFCATION. Sen. Neuberger inserted an editorial supporting a self-financing Federal power corporation in the Pacific Northwest. p. 2187
7. FOREIGN AID. Sen. Kuchel inserted an editorial supporting the mutual security program as a short term measure and urging that a corps of civil servants be established to improve its administration. p. 2209
8. SMALL BUSINESS. Received from the Small Business Administration its semi-annual report for July-Dec. 1957. p. 2166
9. FLOOD CONTROL. Received two Ky. Legislature resolutions urging a flood control program on the Big Sandy River. pp. 2166-7
10. TOBACCO. Received a Ky. House resolution urging maintenance of tobacco price supports at 90% of parity. p. 2167
11. SOIL BANK. Sen. Johnston inserted a S. C. Legislature resolution urging Congress to appropriate funds to pay all farmers who have applied for participation in the soil bank. p. 2167
12. SOIL CONSERVATION. Sen. Nueberger inserted various resolutions of the Ore. State Ass'n of Soil Conservation Districts, including reforestation, opposition to extension of authority under the Wildlife Coordination Act, distinguishing USDA funds for soil conservation from those for production control and price stabilization, and opposition to the proposed wilderness bills. pp. 2169-70
13. LEGISLATIVE PROGRAM. Sen. Johnson announced the intention to vote on H. R. 9955, to increase the public debt limit \$5 billion, on Mon., Feb. 24, and to move to consider the postal rate bill Tues., Feb. 25. p. 2166
14. ADJOURNED until Mon., Feb. 24. p. 2212

HOUSE

Feb. 21, 1958

15. CORN; SOIL BANK. The Livestock and Feed Grains Subcommittee ordered reported ~~to the full Agriculture Committee H. R. 10316, to exclude Ottawa County, Mich., from the commercial corn area in 1958, and H. R. 10843, to allow Soil Bank payments to farmers in counties being included in the commercial corn production area for the first time despite violation of certain acreage limitations.~~ p. D128

16. SECOND SUPPLEMENTAL APPROPRIATION BILL, 1958. The following minority statement was included in the committee report on this bill, H. R. 10881 (see Digest 26):

"In all fairness we must dissent from the report on the item entitled '1958 Acreage Reserve Program' on the grounds that the Congress, itself, is equally responsible for any defects that may be apparent.

"This is true in the dates of enactment which failed to coincide with a proper consideration of the crop year.

"It is true with regard to an inadequate funding of a program enacted by the Congress.

"It is true with regard to a proper balancing of all of the elements, geographical, climatic, and historic that should be weighed in a proper authorization of a soil-bank program.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued February 25, 1958
For actions of February 24, 1958
85th-2d, No. 28

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HIGHLIGHTS: Senate committee reported bills to extend special school milk program, dairy program for armed services, and brucellosis eradication. Senate passed bill to increase public debt limit. Sen. Stennis criticized cut in ACP. House committee ordered reported bill to permit soil bank payments to certain producers who exceed
(Cont'd on page 6)

HOUSE Feb. 24, 1958

1. CORN. The Agriculture Committee ordered reported H. R. 10843, to permit soil bank payments to certain producers who exceed their corn acreage allotments, and H. R. 10316, to ~~exclude Ottawa County, Mich., from the commercial corn-producing area during 1958.~~ p. D134
2. FOREST SERVICE. The Agriculture Committee ordered reported H. R. 7953, to facilitate and simplify the work of the Forest Service. p. D134
Received from GAO a report on the review of Forest Service activities in Alaska. p. 2307
3. FARM-CITY WEEK. The "Daily Digest" states that the Agriculture Committee "went on record as favoring H. J. Res. 546, pending before the House Judiciary Committee, to designate November 21-27 as National Farm-City week." p. D134
4. SCHOOL-LUNCH PROGRAM. Rep. Christopher inserted statements by the president of the Mo. Farmers Assoc., criticizing the Department for not making greater quantities of surplus commodities available for the school-lunch program. p. 2278

5. FOOD STAMPS. Rep. Sullivan urged support for legislation to establish a food-stamp plan for the distribution of surplus food to the needy, and criticized the Department for not supporting such a plan. p. 2278
6. INSECT CONTROL. Agreed to S. Con. Res. 66, to make certain corrections in the enrollment of S. 1895, to grant relief to certain persons for expenses incurred in kaphra beetle eradication. pp. 2277-78
7. BANKING. Rep. Patman inserted his testimony before the H. Government Operations Committee favoring H. R. 8332, to provide for an annual audit by GAO of certain Federal corporations. pp. 3285-90
8. FOREIGN TRADE. Several Reps. spoke in favor of, and others spoke against, extension of the reciprocal trade agreements program, and discussed foreign trade as it relates to agricultural products.
9. RIVER COMPACT. The Interior and Insular Affairs Committee reported with amendment S. 1086, to grant the consent of Congress to a Bear River compact (H. Rept. 1375). p. 2307
10. PRICE SUPPORTS. Received a Ky. Legislature memorial favoring the maintenance of price supports for tobacco at 90 percent of parity. p. 2309
11. APPROPRIATIONS. Following are additional excerpts from the committee report on H. R. 10881, the second supplemental appropriation bill, 1958:

Translations of foreign documents. House Document 313 proposed a supplemental appropriation of \$300,000 for the initiation of a program to make available to American science and industry translations of foreign documents in the fields of technology and applied science.

"The Committee has not included this item in the accompanying bill. Funds for this purpose are also requested in the regular 1959 budget and the Committee expects to consider this matter further during the hearings on that estimate. The Department should give this proposal further study in the meantime, in view of the fact that other Federal and private agencies are already doing some work in this field."

Science Foundation. "The additional \$9,900,000 requested is to expand present National Science Foundation programs. The Committee is in agreement these programs can be expanded profitably at this time on an emergency basis, and has approved \$8,750,000 for such purpose. In so doing, however, increased emphasis has been placed by the Committee on the fellowship and teacher training programs."

SENATE

12. PUBLIC DEBT. Passed without amendment H. R. 9955, to increase temporarily until June 30, 1959, the public debt limit by \$5 billion. Rejected a motion to recommit, 12 to 74, and an amendment by Sen. Lausche to confine the increase to \$3 billion, 27 to 56. This measure will now be sent to the President. pp. 2236-9, 2243-9, 2252-61, 2272-3
13. BRUCELLOSIS. The Agriculture and Forestry Committee reported an original bill, S. 3343, to extend the accelerated brucellosis control program under sec. 204 (e) of the Agricultural Act of 1954 for two years (S. Rept. 1320). p. 2217

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued February 26, 1958
For actions of February 25, 1958
85th-2d, No. 29

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HIGHLIGHTS: House debated second supplemental appropriation bill. House committee reported bill to permit soil bank payments to certain producers who exceed corn allotments. House Rules Committee cleared bills to prohibit trading in onion futures, and to develop marketing facilities for perishable commodities. House committee reported bill for Outdoor Recreation Resources Commission. House committee approved pay bills. Sen. Javits urged deferring cut in dairy price supports. Sen. Humphrey claims mismanagement in ASC Committee elections in Minn. Sen. Bricker and Rep. Henderson introduced and discussed bills to exempt certain wheat producers from liability when wheat is fed or used for seed. Rep. Hill introduced and discussed bill to facilitate insurance of farm ownership and soil and water conservation loans.

Feb. 25, 1958

1. SECOND SUPPLEMENTAL APPROPRIATION BILL. Began debate on this bill, H. R. 10881. pp. 2381-2409

Agreed to the following amendments:

By Rep. Whitten, by a vote of 120 to 57, to provide \$250 million additional instead of \$175 million, for the acreage reserve program for 1958 crops. pp. 2398-2405

By Rep. Laird, as amended by an amendment by Rep. Taber, by a vote of 137 to 17, to provide that no part of the appropriation shall be used to authorize compensation to any one individual or corporate participant in excess of \$3,000. pp. 2405-09

Rejected an amendment by Rep. Reuss (as a substitute for the above amendment by Rep. Laird) to provide that no part of the appropriations shall be used to formulate, administer, or implement an acreage-reserve program which would result in total compensation being paid to any one participant in excess of \$3,000. pp. 2407-09 A point of order by Rep. Taber, which would have stricken out the provision for additional funds for the acreage reserve program for 1958 crops, was overruled. pp. 2397-98

2. ONIONS FUTURES; MARKETING FACILITIES. The Rules Committee reported resolutions for the consideration of H. R. 376, to prohibit trading in onion futures in commodity exchanges; and H. R. 4504, to encourage the improvement and development of marketing facilities for handling perishable commodities. pp. 2410, 2429

3. CORN. The Agriculture Committee reported without amendment H. R. 10843, to permit soil bank payments to certain producers who exceed their corn acreage allotments (H. Rept. 1382), and H. R. 10316, to ~~exclude Ottawa County, Mich., from the commercial corn producing area (H. Rept. 1383).~~ p. 2429

4. FOREST RECREATION. The Interior and Insular Affairs Committee reported with amendment S. 846, to establish a National Outdoor Recreation Resources Review Commission to study outdoor recreation resources of public lands (H. Rept. 1386). p. 2429

5. ROADS. The Public Works Committee approved with amendment H. R. 9821, to authorize appropriations for the construction of highways under the Federal Aid Road Act for 1960 and 1961. p. D140

6. PAY RAISES. The Post Office and Civil Service Committee approved with amendment H. R. 9999, to provide pay increases for classified employees. p. D140
The "Daily Digest" states the Committee action as follows:

"Approved legislation increasing salaries of postal employees, Federal employees paid under the schedules of the Classification Act of 1949, certain employees of the judicial branch, employees of the legislative branch, and employees of the Medical Division of the Veterans' Administration...

"In general, H. R. 9999, concerning salary increases for employees paid under the Classification Act of 1949 and other groups of employees, provides for increases ranging from 10.5 percent (first step GS-4) to 12.5 percent in GS-18, with a \$18,000 ceiling. The increases would be effective August 25, 1957...

VALIDATION OF SOIL BANK CONTRACTS IN COUNTIES BROUGHT INTO COMMERCIAL CORN AREA

FEBRUARY 25, 1958.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 10843]

The Committee on Agriculture, to whom was referred the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of this bill is to permit farmers who have placed land into the soil bank before they have received effective notice that their counties have been brought within the commercial corn area to receive payment on their soil-bank contracts even though they may exceed their new farm corn allotment. In the case of conservation reserve contracts, the exemption will continue for the life of the contract. In the case of acreage reserve contracts, the exemption will apply only to this year.

Section 114 of the Soil Bank Act provides that, for farmers to be eligible for payment under any soil bank contract, they must be in compliance with all acreage allotments established for their farms.

Corn acreage allotments are established for farms only in those counties which are within the commercial corn-producing area. Therefore, farmers in counties outside the commercial area do not have to comply with corn acreage allotments in order to be eligible to put acreage of wheat, cotton, or other commodities into the soil bank.

For the 1958 crop year, 38 new counties were added to the commercial corn-producing area, and farm allotments of corn were established in those counties for the first time this year.

Although all of these counties were designated commercial corn counties before the completion of the soil bank signup for any crop except winter wheat, the committee feels that such designation, and the importance of it in connection with the soil-bank program, was not actually made known to farmers in these counties until after they had made their farming plans for 1958 and, in some cases, not until after they had actually signed up wheat, cotton, or other acreage in the soil bank.

This bill does not remove these 38 new counties from the commercial corn area, but simply provides (1) that, with respect to acreage reserve contracts for 1958, such contracts will not be invalidated if the farmer overplants his corn acreage allotment in 1958, and (2) with respect to conservation reserve contracts, no such contract will be invalidated by the farmer overplanting his corn acreage allotment, if the conservation reserve contract was entered into prior to January 1 of the calendar year in which the county is brought into the commercial corn area for the first time.

DEPARTMENTAL POSITION

The Department of Agriculture did not submit a formal report on this bill, but its representatives in the hearing held by the Livestock and Feed Grains Subcommittee stated that the Department was not in favor of the exemption granted for 1958 with respect to the acreage reserve contracts, but does favor the permanent exemption granted with respect to conservation reserve contracts.

To the committee, it seems that the principle involved is precisely the same. The Department favors farmers being relieved of the corn compliance requirement in connection with conservation reserve contracts if those contracts were made before the county was designated as a commercial corn county. The principle involved is that farmers have entered into their soil-bank contract without being aware that they would later be called upon to comply with newly established corn allotments. Precisely the same principle applies to the farmers in the counties which were brought into the commercial corn area in 1958 and who may have their acreage reserve contracts invalidated for that reason. They should be exempted from the requirement this year, because they did not have effective notice of the establishment of corn acreage allotments before they made their plans to put their wheat, cotton, or other acreage into the soil bank.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, and existing law in which no change is proposed is shown in roman):

SOIL BANK ACT OF 1956, AS AMENDED

SUBTITLE C—GENERAL PROVISIONS

COMPLIANCE WITH ACREAGE ALLOTMENTS

SEC. 114. No person shall be eligible for payments or compensation under this title with respect to any farm for any year in which (1) the acreage of any basic agricultural commodity other than wheat or corn on the farm exceeds the farm acreage allotment for the commodity under title III of the Agricultural Adjustment Act of 1938, as amended, or (2) the wheat acreage on the farm exceeds the larger of the farm wheat acreage allotment under such title or fifteen acres, or (3) the corn acreage on the farm, in the case of a farm in the commercial corn-producing area, exceeds the farm base acreage for corn or the farm acreage allotment, whichever is in effect. For the purpose of this section, a producer shall not be deemed to have exceeded his farm acreage allotment or farm base acreage, unless such producer knowingly exceeded such allotment or base acreage and, in the case of wheat, unless such producer knowingly exceeded the farm acreage allotment or fifteen acres, whichever is larger.

Notwithstanding any other provision of this section—(1) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for 1958 by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if the county in which such farm is located is included in the commercial corn producing area for the first time in 1958; (2) no person shall be ineligible to receive payments or compensation under a conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn producing area: Provided, That the foregoing provisions of this sentence shall apply only to a farm for which an "old farm" corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract.

○

Union Calendar No. 549

85TH CONGRESS
2D SESSION

H. R. 10843

[Report No. 1382]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 19, 1958

Mr. McMILLAN introduced the following bill; which was referred to the Committee on Agriculture

FEBRUARY 25, 1958

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To amend section 114 of the Soil Bank Act with respect to
compliance with corn acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 114 of the Soil Bank Act is amended by adding
4 at the end thereof the following:

5 “Notwithstanding any other provision of this section—
6 (1) no person shall be ineligible to receive payments or
7 compensation under an acreage reserve contract for 1958
8 by reason of the fact that the corn acreage on the farm
9 exceeds the farm acreage allotment for corn if the county in
10 which such farm is located is included in the commercial
11 corn producing area for the first time in 1958; (2) no per-

1 son shall be ineligible to receive payments or compensation
2 under a conservation reserve contract by reason of the fact
3 that the corn acreage on the farm exceeds the farm acreage
4 allotment for corn if such contract was entered into prior
5 to January 1 of the first year for which the county is in-
6 cluded in the commercial corn producing area: *Provided,*
7 That the foregoing provisions of this sentence shall apply
8 only to a farm for which an 'old farm' corn allotment is
9 established for such first year. For purposes of this provi-
10 sion, a contract which has been terminated by the producer
11 under the program regulations by reason of the fact that the
12 county in which the farm is located was included in the
13 commercial corn-producing area for the first time in 1958,
14 and which is reinstated, shall be deemed to have been entered
15 into as of the original date of execution of such contract."

85TH CONGRESS
2d Session

H. R. 10843

[Report No. 1382]

A BILL

To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

By Mr. McMILLAN

FEBRUARY 19, 1958

Referred to the Committee on Agriculture

FEBRUARY 25, 1958

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

(House Report No. 10841)

A BILL

to amend the Act of March 3, 1879, relating to the
 duties of the Secretary of the Interior, and for
 other purposes.

Enacted at Washington, D. C., on March 3, 1879.

Approved by the President of the United States.

Approved by the Senate on March 3, 1879.

Approved by the House of Representatives on March 3, 1879.

Approved by the President of the United States on March 3, 1879.

85TH CONGRESS
2D SESSION

S. 3385

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 1958

Mr. HOLLAND (for himself, Mr. RUSSELL, Mr. HILL, Mr. EASTLAND, Mr. TALMADGE, Mr. SPARKMAN, Mr. SCOTT, and Mr. STENNIS) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 114 of the Soil Bank Act is amended by adding
4 at the end thereof the following:

5 “Notwithstanding any other provision of this section, no
6 person shall be ineligible to receive payments or compensa-
7 tion under a conservation reserve contract by reason of the
8 fact that the corn acreage on the farm exceeds the farm
9 acreage allotment for corn if such contract was entered into
10 prior to January 1 of the first year for which the county is

1 included in the commercial corn producing area: *Provided,*
2 That the foregoing provisions of this sentence shall apply
3 only to a farm for which an 'old farm' corn allotment is
4 established for such first year. For purposes of this provi-
5 sion, a contract which has been terminated by the producer
6 under the program regulations by reason of the fact that
7 the county in which the farm is located was included in the
8 commercial corn-producing area for the first time in 1958,
9 and which is reinstated, shall be deemed to have been
10 entered into as of the original date of execution of such
11 contract."



A BILL

To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

By Mr. HOLLAND, Mr. RUSSELL, Mr. HULL, Mr. EASTLAND, Mr. TALMADGE, Mr. SPARKMAN, Mr. SCOTT, and Mr. STENNIS

FEBRUARY 28, 1958

Read twice and referred to the Committee on Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 4, 1958
For actions of March 3, 1958
85th-2d, No. 33

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HIGHLIGHTS: See page 7.

HOUSE

1. CORN. Passed without amendment H. R. 10843, to permit soil bank payments to certain producers who exceed their corn acreage allotments. pp. 2873-74
Passed over, at the request of Rep. Ford, H. R. 10316, to exclude Ottawa Co., Mich. from the commercial corn-producing area during 1958. He stated that he understood that the above bill, H. R. 10843, would take care of the problems involved in this bill. pp. 2874-75
2. RICE; FISHERIES. Passed with amendments S. 1552, to authorize the Secretary of the Interior to establish a program of research and experimentation to develop methods for the commercial production of fish on flooded rice acreage in rotation with rice field crops. p. 2869
3. FARM PROGRAM. Rep. Beamer condemned the controversy over farm policies, and stated that "Agriculture is too important to be used as a political football." p. 2877

4. BUDGET. Rep. Taber inserted the text of an amendment he would proposed to H.R. 8002, to provide for budgeting on an accrued expenditure basis, and stated that it "effectively responds to the argument of the proponents of H. R. 8002 that Congress does not, but should, directly control the annual rate of disbursements." p. 2876
5. WATER UTILIZATION. Passed with amendments S. 1086, to grant the consent of Congress to a Bear River Compact. pp. 2870-73
6. WILDLIFE. The Merchant Marine and Fisheries Committee reported without amendment H. R. 10679 (H. Rept. 1445) and H. R. 10803 (H. Rept. 1446), to authorize the Secretary of the Interior to utilize funds available under the Migratory Bird Hunting Stamp Act to acquire by lease, purchase, or exchange, small wetland and pothole areas to be designated as "Waterfowl Production Areas." p. 2883
7. ROADS. Both Houses received from the Department of Commerce a progress report, prepared by the Federal Highway Administrator, on the highway cost allocation study, pursuant to the Highway Revenue Act of 1956 (H. Doc. 344). pp. 2778, 2883
Received from the Department of Treasury a report on the financial condition and fiscal operations of the highway trust fund for the fiscal year 1957, pursuant to the Highway Revenue Act of 1956 (H. Doc. 345). p. 2883
8. FORESTRY. A subcommittee of the Interior and Insular Affairs Committee ordered reported to the full committee with amendment H. R. 8250, to authorize the establishment of the Petrified Forest National Park in Ariz. p. D165
9. CITRUS INDUSTRY. Rep. Herlong discussed the growth and importance of the citrus industry in Fla. pp. 2880-82
10. FOREIGN TRADE. Reps. Bailey and Henderson spoke in opposition to extension of the trade agreements program, and inserted several statements on the matter. pp. 2879-80
Rep. Whitener inserted a letter he had received opposing extension of the trade agreements program. pp. 2878-79
11. 4-H CLUBS. Rep. Natcher commended the work of the 4-H Clubs. p. 2882
12. DAIRY PRICE SUPPORTS. Received a Miss. Legislature memorial favoring the retention of current dairy price supports. p. 2884
13. TREASURY-POST OFFICE APPROPRIATION BILL. In reporting this bill (see Digest 31), the committee included the following statement in its report:

"The Committee is in receipt of a joint report of the Treasury, Budget Bureau and the General Accounting Office on the subject of decentralizing large-scale repetitive payment disbursing operations. Also received are the comments on this report of the agencies most directly concerned. Simultaneously, the proposition to eliminate the check-writing function through the use of direct bank credits has been re-submitted to the Committee. Under the circumstances, the Committee hopes to separately review the various reports and proposals, submitting its suggestions or recommendations later in this session of Congress."

Name of canal	Date of priority	Primary right second-foot	Lands irrigated	
			Acres	State
Hilliard East Fork	1914	28.00	2,644	Wyoming
Chapman	8-13-86	16.46	1,155	Wyoming
	8-13-86	98.46	6,892	Utah
	4-12-12	.57	40	Wyoming
	5-3-12	4.07	285	Utah
	5-21-12	10.17	712	Utah
	2-16-13	.79	55	Wyoming
	8-22-05	134.00		
Francis Lee	1875	2.20	154	Wyoming
	1879	7.41	519	Utah

¹ Under the right as herein confirmed not to exceed 134 second-feet may be carried across the Wyoming-Utah State lines in the Chapman Canal at any time for filling the Neponset Reservoir, for irrigation of land in Utah and for other purposes. The storage right in Neponset Reservoir is for 6,900 acre-feet which is a component part of the irrigation right listed above for the Utah lands.

"All other rights to the use of water carried in interstate canals and ditches, as adjudicated in the State in which the point of diversion is located, are recognized and confirmed.

"B. All interstate rights shall be administered by the State in which the point of diversion is located and during times of water emergency, such rights shall be filled from the allocations specified in Article IV hereof for the Section in which the point of diversion is located, with the exception that the diversion of water into the Hilliard East Fork Canal, Lannon Canal, Lone Mountain Ditch, and Hilliard West Side Canal shall be under the administration of Wyoming. During times of water emergency these canals and the Lone Mountain Ditch shall be supplied from the allocation specified in Article IV for the Upper Wyoming Section Diversions.

"Article X

"Applications for appropriation, for change of point of diversion, place and nature of use, and for exchange of Bear River water shall be considered and acted upon in accordance with the law of the State in which the point of diversion is located, but no such application shall be approved if the effect thereof will be to deprive any water user in another State of water to which he is entitled. The official of each State in charge of water administration shall, upon the filing of an application affecting Bear River water, transmit a copy thereof to the Commission.

"Article XI

"Nothing in this Compact shall be construed to prevent the United States, a signatory State or political subdivision thereof, person, corporation, or association, from instituting or maintaining any action or proceeding, legal or equitable, for the protection of any right under State or Federal law or under this Compact.

"Article XII

"Nothing contained in this Compact shall be deemed

"1. to affect the obligations of the United States of America to the Indian tribes;

"2. to impair, extend or otherwise affect any right or power of the United States, its agencies or instrumentalities involved herein; nor the capacity of the United States to hold or acquire additional rights to the use of the water of the Bear River;

"3. to subject any property or rights of the United States to the laws of the States which were not subject thereto prior to the date of this Compact;

"4. to subject any property of the United States to taxation by the States or any subdivision thereof, nor to obligate the United States to pay any State or subdivision thereof for loss of taxes.

"Article XIII

"At intervals not exceeding twenty years, the Commission shall review the provisions

hereof, and after notice and public hearing, may propose amendments to any such provision, provided, however, that the provisions contained herein shall remain in full force and effect until such proposed amendments have been ratified by the legislatures of the signatory States and consented to by Congress.

"Article XIV

"This Compact may be terminated at any time by the unanimous agreement of the signatory States. In the event of such termination all rights established under it shall continue unimpaired.

"Article XV

"Should a court of competent jurisdiction hold any part of this Compact to be contrary to the constitution of any signatory State or to the Constitution of the United States, all other severable provisions of this Compact shall continue in full force and effect.

"Article XVI

"This Compact shall be in effect when it shall have been ratified by the Legislature of each signatory State and consented to by the Congress of the United States of America. Notice of ratification by the legislatures of the signatory States shall be given by the Governor of each signatory State to the Governor of each of the other signatory States and to the President of the United States of America, and the President is hereby requested to give notice to the Governor of each of the signatory States of approval by the Congress of the United States of America.

"In witness whereof, the commissioners and their advisers have executed this compact in five originals, one of which shall be deposited with the General Services Administration of the United States of America, one of which shall be forwarded to the Governor of each of the signatory States, and one of which shall be made a part of the permanent records of the Bear River Commission.

"Done at Salt Lake City, Utah, this 4th day of February 1955.

"For the State of Idaho:

"FRED M. COOPER.

"MELVIN LAURIDSEN.

"MARK R. KULP.

"For the State of Utah:

"GEORGE D. CLYDE.

"J. LORENZO WEIDMANN.

"A. V. SMOOT.

"LAWRENCE B. JOHNSON.

"ALONZO F. HOPKIN.

"E. M. VAN ORDEN.

"ORSON A. CHRISTENSEN.

"For the State of Wyoming:

"L. C. BISHOP.

"H. T. PERSON.

"HOWARD B. BLACK.

"EMIL C. GRADERT.

"S. REED DAYTON.

"Approved:

"E. O. LARSON,

"Representative of the United States of America.

"Attest:

"E. J. SKEEN,

"Secretary of the Bear River Compact Commission."

SEC. 2. All officers, agencies, departments, and persons of and in the United States Government shall cooperate with the Bear River Commission, established pursuant to the compact consented to hereby, in any manner authorized by law other than this Act, it being the purpose of Congress that the United States Government shall assist in the furtherance of the objectives of a Bear River Compact and in the work of the commission created thereby.

SEC. 3. Any modification of the allocation of storage rights contained in Article V shall become effective only when consented to by the Congress.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

Amend the title so as to read: "An Act granting the consent of Congress to a Bear River Compact, and for related purposes."

With the following committee amendments:

Page 1, line 3, strike out the words "and approval."

Page 6, line 23, strike out the word "Range" and insert "Range."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act granting the consent of Congress to a Bear River Compact, and for related purposes."

A motion to reconsider was laid on the table.

EXTENSION OF LEASES ON CERTAIN LANDS IN HAWAII

The Clerk called the bill (H. R. 8483) to authorize the extension of leases of certain lands in the Territory of Hawaii.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any provision of the Hawaiian Organic Act (31 Stat. 141), or of the laws of the Territory of Hawaii, where a lessee of waterfront lands in the Territory of Hawaii, under lease on November 4, 1952, or March 9, 1957, has spent substantial sums in repairing or replacing improvements on such lands damaged or destroyed by either or both of the tidal waves of such dates, then the Commissioner of Public Lands of the Territory of Hawaii, in his discretion and at the request of the lessee, may extend the term of the lease at the original rental; however, no lease may be extended pursuant to this act beyond November 3, 1973.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPROVING JOINT RESOLUTION 28 OF TERRITORY OF HAWAII

The Clerk called the bill (H. R. 9501) to approve Joint Resolution 28 enacted by the Legislature of the Territory of Hawaii in the regular session of 1957, relating to the conditions and terms of right of purchase leases.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Joint Resolution 28, enacted by the Legislature of the Territory of Hawaii in the regular session of 1957 and entitled "Joint resolution relating to the conditions and terms of right of purchase leases, and amending section 99-92 (a) of the Revised Laws of Hawaii 1955, subject to approval of the Congress, and requesting such approval" is hereby approved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATION OF SOIL-BANK CONTRACTS IN COUNTIES BROUGHT INTO COMMERCIAL CORN AREA

The Clerk called the bill (H. R. 10843) to amend section 114 of the Soil Bank

Act with respect to compliance with corn-acreage allotments.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. H. CARL ANDERSEN. Mr. Speaker, reserving the right to object, would the author of the bill please give us a little information as to what is contained in this bill?

Mr. McMILLAN. Mr. Speaker, this bill permits the Department of Agriculture to postpone the enforcement of section 114 of the Soil Bank Act 1 year in these counties that were recently placed in the commercial corn area. It seems that the order did not come out until rather late, and has caused undue hardship to the already depressed farmer. The Department officials appeared before my committee and testified that they made every effort possible to prevent these counties from being placed in the commercial corn area, but had no alternative under the law. Therefore, it was necessary to amend the act.

Mr. H. CARL ANDERSEN. I thank the gentleman. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I point out that there are no departmental reports on this bill. My information is that there was a witness from the Department of Agriculture who appeared before the committee and expressed opposition to one part of the bill which, I suppose, could be interpreted as an adverse report, if a report had been furnished. Under those circumstances, Mr. Speaker, I think we ought to let the matter lay over until the next calendar day. Therefore I ask unanimous consent that the bill be passed over without prejudice.

Mr. McMILLAN. Mr. Speaker, would the gentleman withhold that request for 1 minute?

Mr. BYRNES of Wisconsin. Mr. Speaker, I withhold my request and yield to the gentleman.

Mr. McMILLAN. Mr. Speaker, I would like to state that this is really an emergency matter. If this bill does not pass right away, it will not do the farmers any good this season.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Michigan.

Mr. FORD. The gentleman may know that the next bill on the Consent Calendar involves a somewhat similar situation to the one presently before us, a bill which I have sponsored and which has been approved by the Committee on Agriculture. I can assure the gentleman from Wisconsin that in either instance time is of the essence.

I was present before the Committee on Agriculture when the Department of Agriculture people appeared and it seemed to me from their testimony they were not objecting to this type of legislation. What this does is to give them an opportunity to grant administrative relief in

hardship cases, cases which developed primarily because of a bad sequence of events from the standpoint of time. Under the existing law, apparently, the Department of Agriculture has no authority to give administrative relief in hardship cases where serious inequities have developed. It seems to me, with time of the essence and the need for this administrative relief, it is important that this legislation be approved today.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield further?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. McMILLAN. I would like to state further that the Department really did not object to this bill. In fact, they favored the legislation but they could not come out and approve it. I suppose that is why we do not have a report from the Department. But they did not seriously object to it.

Mr. BYRNES of Wisconsin. Mr. Speaker, would the gentleman answer a question? His contention is that time is of the essence. What is the time deadline involved here? If it is only a month or so, that would make a difference.

Mr. McMILLAN. The corn is being planted now in Georgia and Florida. This affects counties in Georgia and Florida.

Mr. BYRNES of Wisconsin. Mr. Speaker, on the basis that time is important and the fact that the Department could have sent up an adverse report if they were really opposed to the bill, I withdraw my unanimous-consent request.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this section—(1) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for 1958 by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if the county in which such farm is located is included in the commercial corn producing area for the first time in 1958; (2) no person shall be ineligible to receive payments or compensation under a conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn producing area: *Provided,* That the foregoing provisions of this sentence shall apply only to a farm for which an 'old farm' corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVE OTTAWA COUNTY, MICH., FROM COMMERCIAL CORN AREA FOR 1958

The Clerk called the bill (H. R. 10316) to exclude Ottawa County, Mich., from the commercial corn-producing area during 1958.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to say this: It is my understanding that the bill previous to this does take care of the problems which resulted in the initiation of H. R. 10316. I should like to include in my remarks 3 questions addressed to the representative of the Committee on Agriculture to pin down the fact that the bill, H. R. 10843, takes care of all the problems that resulted in my introduction of the bill H. R. 10316.

Mr. McMILLAN. Although all of these counties were designated commercial corn countries before the completion of the soil-bank sign-up for any crop except winter wheat, the committee feels that such designation, and the importance of it in connection with the soil-bank program, was not actually made known to farmers in these counties until after they had made their farming plans for 1958, and, in some cases, not until after they had actually signed up wheat, cotton, or other acreage in the soil bank.

This bill does not remove these 38 new counties from the commercial corn area, but simply provides (1) that, with respect to acreage reserve contracts for 1958, such contracts will not be invalidated if the farmer overplants his corn acreage allotment in 1958, and (2) with respect to conservation reserve contracts no such contract will be invalidated by the farmer overplanting his corn acreage allotment, if the conservation reserve contract was entered into prior to January 1 of the calendar year in which the county is brought into the commercial corn area for the first time.

DEPARTMENTAL POSITION

The Department of Agriculture did not submit a formal report on this bill, but its representatives in the hearing held by the Livestock and Feed Grains Subcommittee stated that the Department was not in favor of the exemption granted for 1958 with respect to the acreage reserve contracts, but does favor the permanent exemption granted with respect to conservation reserve contracts.

To the committee it seems that the principle involved is precisely the same. The Department favors farmers being relieved of the corn compliance requirement in connection with conservation reserve contracts if those contracts were made before the county was designated as a commercial corn county. The principle involved is that farmers have entered into their soil-bank contract without being aware that they would later be called upon to comply with newly established corn allotments. Precisely the same principle applies to the farmers in the counties which were brought into the

85TH CONGRESS
2^D SESSION

H. R. 10843

IN THE SENATE OF THE UNITED STATES

MARCH 4, 1958

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 114 of the Soil Bank Act is amended by adding
4 at the end thereof the following:

5 “Notwithstanding any other provision of this section—

6 (1) no person shall be ineligible to receive payments or

7 compensation under an acreage reserve contract for 1958

8 by reason of the fact that the corn acreage on the farm

9 exceeds the farm acreage allotment for corn if the county in

10 which such farm is located is included in the commercial

11 corn producing area for the first time in 1958; (2) no per-

1 son shall be ineligible to receive payments or compensation
2 under a conservation reserve contract by reason of the fact
3 that the corn acreage on the farm exceeds the farm acreage
4 allotment for corn if such contract was entered into prior
5 to January 1 of the first year for which the county is in-
6 cluded in the commercial corn producing area: *Provided,*
7 That the foregoing provisions of this sentence shall apply
8 only to a farm for which an 'old farm' corn allotment is
9 established for such first year. For purposes of this provi-
10 sion, a contract which has been terminated by the producer
11 under the program regulations by reason of the fact that the
12 county in which the farm is located was included in the
13 commercial corn-producing area for the first time in 1958,
14 and which is reinstated, shall be deemed to have been entered
15 into as of the original date of execution of such contract."

Passed the House of Representatives March 3, 1958.

Attest:

RALPH R. ROBERTS,

Clerk.

85TH CONGRESS
2D SESSION

H. R. 10843

AN ACT

To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

MARCH 4, 1958

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 7, 1958
For actions of March 6, 1958
85th-2d, No. 36

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HIGHLIGHTS: See page 8.

SENATE

1. FARM PROGRAM. The Daily Digest reported that the Agriculture and Forestry Committee "ordered favorably reported the following: ~~an original joint resolution to provide that acreage allotments and price supports cannot be lower than those in effect in 1957; an original joint resolution providing that price supports for dairy products shall not be reduced below those in effect in the 1957 marketing year; with amendment, S. 2937, providing equitable treatment for producers participating in the soil bank program on the basis of incorrect information furnished by the Government; a clean bill in lieu of S. 2913, to provide for a minimum acreage allotment for corn; and S. 3385, to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.~~" (p.D182). ~~Sen. Humphrey announced committee's action.~~ p.3073
- Sen. Proxmire stated that the Secretary had the power to increase dair price supports, under present law, up to 90 percent of parity, and urged him to reconsider his action reducing price supports on April 1. pp. 3108-9

Sen. Proxmire inserted a speech by Prof. Galbraith of Harvard to the National Farm Institute, in which it was stated that the free market and the family farm are antithetical, and that to preserve our traditional farm structure will require government controls. pp. 3109-11

Sen. Proxmire inserted a constituent's letter on the farm program which also urged government payments in lieu of taxes for all Federal land. p. 3111

Sen. Murray added Sen. Neuberger's name as cosponsor to S. 3091, to require wheat price supports at no less than \$2 a bushel. p. 3091

Sen. Thye commended committee's bill to provide 54 million acre corn acreage allotment. p. 3114

2. DAIRY PRODUCTS. Sen. Proxmire's name was added as cosponsor to S. 2727, to establish Federal sanitation standards for milk and dairy products, and he recommended a uniform Federal law to promote the expansion of milk marketing. pp. 3090-1

3. FORESTRY. Passed as reported S. 3262, to authorize Federal grants to construct Olympic facilities for the 1960 winter games on Forest Service lands. p. 312

The committee report on this bill includes the following statement:

"The sports arena to be built under the provisions of section 2 would be located on national-forest land and would be subject to the jurisdiction and authority of the Secretary of Agriculture. The sports arena would remain Federal property.

"The State of California has been granted a 30-year permit to use the land on which the arena is to be constructed as part of a State park. It is the intent of the committee that the permit issued by the Forest Service will provide for the payment by the permittee after the VIII Olympic Winter Games are over of a fee that fairly reflects the value of the use of the arena. This provision of the bill should result in some return to the Federal Government on its investment. The General Accounting Office will be enabled to review the adequacy of the rentals."

The Indian Affairs subcommittee ordered reported with amendments to the Interior and Insular Affairs Committee S. 3051, to provide alternatives of private or Federal acquisition of the part of the Klamath Indian forest lands which must be sold under the termination act. p. D182

4. SECOND SUPPLEMENTAL APPROPRIATION BILL. Sen. Thye submitted notice of his intention to propose an amendment to this bill, H. R. 10881, to require 1958 dairy price supports be not less than those for 1957. p. 3090

Sen. Sparkman submitted notice of his intention to propose an amendment to the bill, to authorize the Small Business Administration to loan funds to small business concerns "if the administration determines that the small business concern has suffered a substantial economic injury as a result of programs administered by the Secretary of Agriculture under the provisions of the Soil Bank Act." p. 3090

This bill was made the unfinished business, and Sen. Johnson announced it would be considered Mon., March 10. pp. 3123, 3142-3

5. ECONOMIC SITUATION; FARM PROGRAM. Sens. Johnson, Chavez, Goldwater, Mansfield, Murray, Capehart, Kerr, Dworshak, Revercomb, Johnston, Holland, Case, S. Dak., Fulbright, Humphrey, Carroll, Yarborough, Dirksen, Thye, Morse, and Douglas discussed the economic situation and Sen. Johnson's two resolutions, S. Con. Res. 68 and S. Con. Res. 69, to urge the acceleration of expenditures for

SOIL BANK CONTRACTS—EXEMPTION FROM ADDITIONAL CROSS COMPLIANCE IMPOSED BY SUBSEQUENT INCLUSION IN COMMERCIAL CORN AREA

MARCH 11, 1958.—Ordered to be printed

Mr. HOLLAND, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 3385]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 3385) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments, having considered the same, report thereon with a recommendation that it do pass with an amendment.

This bill exempts soil bank contracts entered into in any county prior to January 1 of the first year in which the county is included in the commercial corn area from the requirement of cross compliance with corn acreage allotments. It would be applicable only to farms which have been producing corn sufficiently recently to be entitled to an old farm allotment. Contracts which have been terminated because the county was included in the commercial corn area for the first time in 1958 and which are subsequently reinstated will be deemed for the purpose of the bill to have been entered into as of the original date of execution.

Section 114 of the Soil Bank Act prohibits soil bank payments to producers exceeding their acreage allotments. Corn acreage allotments are established only in the commercial area, which is redetermined and proclaimed each year by the Secretary. The commercial area for 1958, for instance, includes 38 new counties which were not in the area in 1957. Corn is not subject to marketing quotas and marketing penalties are not imposed on producers exceeding corn acreage allotments. The producer in the commercial area therefore has a choice as to whether he will comply with his acreage allotment, or whether he will forgo price support and soil bank participation and plant in excess of his allotment. The producer outside the commercial area, however, cannot tell at the time he enters into a soil bank agree-

ment that his farm will not at some later time before the agreement expires be included in the commercial area. Such later inclusion may then subject him to a very severe penalty in loss of soil bank benefits. It is the purpose of this bill to cure this situation by providing that in such case payments under the contract will not be conditioned on compliance with corn acreage allotments.

The committee realizes (1) that the legal deadline for announcing the commercial corn area is February 1 of each year, which technically leaves a period of 1 month when contracts could be entered into which would not be protected by this bill, and (2) that as a practical matter such announcements are often made several weeks prior to January 1, which technically would make it possible for farmers to enter into contracts prior to January 1, knowing that their area is to be included in the commercial corn area. However, since the Department of Agriculture has complete control over the signup for the soil bank, the committee presumes, and expects, that the program will be so administered as to comply with the intent of this bill.

The committee amendment would extend the bill to cover acreage reserve contracts as well as conservation reserve contracts, the principle being the same in both cases.

Due to the urgency of this problem, no report has been obtained from the Department of Agriculture, but Department officials have indicated informally that there is no objection to the provisions of the bill.

Enactment of the bill would require no expenditure additional to that provided for by contracts entered into under the Soil Bank Act. In a limited number of cases it would prevent the forfeiture of payments due under those contracts. The amount of such penalty forfeitures which would be avoided by the bill cannot be estimated.

The committee was unanimous in ordering this bill reported.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ACT OF 1956, AS AMENDED

TITLE I—SOIL BANK ACT

SEC. 114. No person shall be eligible for payments or compensation under this title with respect to any farm for any year in which (1) the acreage of any basic agricultural commodity other than wheat or corn on the farm exceeds the farm acreage allotment for the commodity under title III of the Agricultural Adjustment Act of 1938, as amended, or (2) in the case of a farm which is not exempted from marketing quota penalties under section 335 (f) of the Agricultural Adjustment Act of 1938, as amended, the wheat acreage on the farm exceeds the larger of the farm wheat acreage allotment under such title or fifteen acres, or (3) the corn acreage on the farm, in the case of a farm in the commercial corn-producing area, exceeds the farm

base acreage for corn or the farm acreage allotment, whichever is in effect. For the purpose of this section, a producer shall not be deemed to have exceeded his farm acreage allotment or farm base acreage, unless such producer knowingly exceeded such allotment or base acreage and, in the case of wheat, unless such producer knowingly exceeded the farm acreage allotment or fifteen acres, whichever is larger.

Notwithstanding any other provision of this section, no person shall be ineligible to receive payments or compensation under an acreage reserve contract or a conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn producing area: Provided, That the foregoing provisions of this sentence shall apply only to a farm for which an "old farm" corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract.

○

The following is a list of the
 names of the persons who have
 been appointed to the various
 committees of the Board of
 Directors of the City of
 New York, for the year
 ending December 31, 1901.
 The names are arranged in
 alphabetical order of the
 surnames.

S. 3385

[Report No. 1372]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 1958

Mr. HOLLAND (for himself, Mr. RUSSELL, Mr. HILL, Mr. EASTLAND, Mr. TALMADGE, Mr. SPARKMAN, Mr. SCOTT, and Mr. STENNIS) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

MARCH 11, 1958

Reported by Mr. HOLLAND, with an amendment

[Insert the part printed in italic]

A BILL

To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 114 of the Soil Bank Act is amended by adding
4 at the end thereof the following:

5 “Notwithstanding any other provision of this section, no
6 person shall be ineligible to receive payments or compensa-
7 tion under *an acreage reserve contract* or a conservation
8 reserve contract by reason of the fact that the corn acreage
9 on the farm exceeds the farm acreage allotment for corn
10 if such contract was entered into prior to January 1 of the

1 first year for which the county is included in the commercial
2 corn producing area: *Provided*, That the foregoing provi-
3 sions of this sentence shall apply only to a farm for which
4 an 'old farm' corn allotment is established for such first year.
5 For purposes of this provision, a contract which has been
6 terminated by the producer under the program regulations
7 by reason of the fact that the county in which the farm is
8 located was included in the commercial corn-producing area
9 for the first time in 1958, and which is reinstated, shall be
10 deemed to have been entered into as of the original date of
11 execution of such contract."

85TH CONGRESS
2D SESSION

S. 3385

[Report No. 1372]

A BILL

To amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

By Mr. HOLLAND, Mr. RUSSELL, Mr. HILL, Mr. EASTLAND, Mr. TALMADGE, Mr. SPARKMAN, Mr. SCOTT, and Mr. STENNIS

FEBRUARY 28, 1958

Read twice and referred to the Committee on Agriculture and Forestry

MARCH 11, 1958

Reported with an amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 18, 1958
For actions of March 17, 1958
85th-2d, No. 42

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HIGHLIGHTS: See page 6.

SENATE

March 17, 1958

1. WHEAT. The Congressional Record states that the Senate passed without amendment H. R. 11086, to grant relief from penalties of certain farmers who overplanted their wheat acreage allotments (p. 4027). The Record also states that S. 3406, a similar bill, was passed over earlier in the day at the request of Sen. Talmadge (p. 4021). The office of the Senate bill clerk informs us that apparently H. R. 11086 was not passed, and that apparently the statement in the Record was in error.
2. CORN. Passed with amendment H. R. 10843, to permit soil bank payments to certain corn producers in the commercial area who exceed their corn acreage allotments, after substituting the language of a similar bill as reported, S. 3385, for the text of H. R. 10843. S. 3385 was indefinitely postponed. pp. 4022-23
At the request of Sen. Talmadge, passed over S. 3441, to increase the minimum acreage allotment for corn. pp. 4022
3. COTTON. At the request of Sen. Talmadge, passed over S. 3408 to provide that cotton acreage allotments for 1958 and subsequent years shall be no less than in 1956. p. 4022

4. SOIL BANK. Passed as reported S. 2937, to compensate producers for hardships suffered under the 1956 soil bank program as a result of incorrect information furnished by county committees. pp. 4025-26
5. BUDGETING. At the request of Sen. Talmadge, passed over H. R. 8002, to provide for budgeting on an accrued expenditure basis. p. 4021
6. FOREIGN TRADE; SURPLUS COMMODITIES. S. 3420, to extend Public Law 480, continued as the unfinished business of the Senate. p. 4028
Sens. Aiken and Case, S. Dak., submitted amendments intended to be proposed to this bill. p. 4002
7. DAIRY PRICE SUPPORTS. Sen. Proxmire criticized the order to lower price supports for dairy products, and stated that the dairy farmer "has been punished -- instead of rewarded -- for his efficiency and his increasing contribution to our standard of living." p. 4012
8. APPROPRIATIONS. A subcommittee of the Appropriations Committee ordered reported without amendment H. R. 11085, the Treasury-Post Office appropriation bill for 1959. p. D218
9. CHICORY IMPORTS. The Finance Committee ordered reported with amendment H. R. 5005, to suspend for two years the duty on crude chicory. p. D219
10. HIGHWAY BILLBOARDS. Sen. Neuberger urged support for legislation for the regulation of billboards along the new Interstate Highway system, and inserted an article on the subject. pp. 4005-07
11. SOIL CONSERVATION. Sen. Langer inserted two Soil Conservation District resolutions commending the accomplishments of the ACP program, and opposing enactment of S. 2496, relative to conservation of wildlife, fish, and game, because it would provide that "much of the conservation work done by co-operators on their farms would first have to be approved by the United States Fish and Wildlife Service." p. 4016
12. FOREST ROADS. Sen. Church inserted an Ida. Chamber of Commerce resolution favoring increased appropriations for forest access roads. p. 4018
13. WATER COMPACTS. Passed without amendment S. 2557, to grant the consent of Congress to an extension of time for the negotiation of water compacts by Nebr., Wyo., and S. Dak. p. 4026
14. FOREIGN AID. Sen. Cooper urged additional economic aid for India. pp. 4044-46
15. LEGISLATIVE PROGRAM. Sen. Johnson announced that S. 1356, to transfer certain functions under the Packers and Stockyards Act to FTC, will be considered this week, probably, Tues., Wed., or Thurs.; he also stated that there will be a delay in consideration of the road authorization bill until minority views can be prepared, but he hopes this bill can also be considered this week. pp. 3989-90, 4048

WHEAT ACREAGE HISTORY

The bill (S. 3406) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to wheat acreage history, was announced as next in order. Mr. TALMADGE. Over, Mr. President. The bill is not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

Mr. CASE of South Dakota. May I ask the distinguished Senator from Georgia if it is intended that Calendar No. 1378, S. 3420, a bill to extend and amend the Agricultural Trade Development and Assistance Act of 1954, popularly known as Public Law 480, and Calendar No. 1380, S. 3406, a bill to amend the Agricultural Adjustment Act of 1938, as amended, with respect to wheat acreage history, will be taken up for consideration by motion during this week?

Mr. TALMADGE. The majority leader has so announced. This side of the aisle—or at least the calendar committee—is wholeheartedly in favor of those bills, but we believed they were of sufficient importance and of such a major nature as to warrant debate and discussion by the entire membership of the Senate.

The majority leader, the Senator from Texas [Mr. JOHNSON], indicated last week that the major agricultural bills would be taken up by and would be voted on by the Senate this week.

Mr. CASE of South Dakota. Mr. President, both the bills are of major importance. It would be desirable, I think, to have the membership of the Senate on notice as to a definite time when the bill will be called up for consideration.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. TALMADGE. I refer to the CONGRESSIONAL RECORD of March 14, page 3980, where the Senator from Texas set forth the legislative program for the week. The Senator stated:

Mr. President, following the call of the calendar, at the earliest practical opportunity, the following measures will be brought before the Senate:

Calendar No. 1378, S. 3420, extending and amending the Agricultural Trade Development and Assistance Act.

Calendar No. 1392, S. 3441, providing for a minimum-acreage allotment for corn and other purposes.

Calendar No. 1393, S. 3406, amending the Agricultural Adjustment Act of 1938, as amended, to provide that cotton-acreage allotments for the States for 1958 and subsequent years shall be no less than in 1956.

Calendar No. 1394, S. 3385, amending section 114 of the Soil Bank Act with respect to compliance with corn-acreage allotments.

And so forth. The list includes, in addition to the bills I have mentioned, at least six other bills, most of which deal with major agricultural products.

The PRESIDING OFFICER. The Chair will advise that Calendar No. 1416, House bill 11086, is a companion bill to one of the bills just mentioned. Undoubtedly it will be passed over.

Mr. CASE of South Dakota. I wonder if the Senator from Georgia can be a little more precise as to what the most

practical moment will be for calling up these bills, and whether or not they will be called up in the order enumerated by the statement of the majority leader, which the Senator from Georgia has just read.

Mr. TALMADGE. I have no way of knowing what the majority leader had in mind, except what he said. I would not attempt to interpret the meaning of what he said. I think the statement is clear. I think it indicates that the majority leader expects to bring the bills up at the earliest possible opportunity this week.

Mr. CASE of South Dakota. I note that the distinguished majority leader is now present in the Chamber. I wonder if it would be possible for him to give us any sharper definition as to the time when these agricultural measures may be brought up for consideration. With respect to 1 or 2 of them, the Senator from South Dakota was contemplating possibly making a statement, and perhaps offering an amendment. If it were at all possible to be a little more precise as to the time when they will be called up, I think it would be helpful, not only to me, but to other Members of the Senate.

Mr. HOLLAND. Mr. President, before the distinguished majority leader answers the question, I should like to have him know that in his absence we conferred with the calendar committees on both sides of the aisle relative to Calendar No. 1394, Senate bill 3385, which relates to the counties which have become commercial corn counties this year for the first time. We find there is no opposition to the bill. In view of the fact that corn planting is in progress in my State at this time, I had hoped that the bill could be passed today, either on the call of the calendar or upon motion later.

I do not believe any of the other agricultural bills are in the same situation. The bill to which I refer was unanimously reported from the Committee on Agriculture and Forestry.

Mr. JOHNSON of Texas. Mr. President, I did not hear the inquiry of my friend from South Dakota. If he will repeat it, I shall try to be responsive.

Mr. CASE of South Dakota. I wonder if it would be possible to fix a little more precisely the time at which the various agricultural bills which have been mentioned may be considered. As the Senator from Georgia [Mr. TALMADGE] has indicated, they are of wide interest. There is hardly a State that is not affected by them in some way. If we knew more precisely when they were coming up, we could adjust our schedules and be ready with statements or amendments more promptly.

Mr. JOHNSON of Texas. The majority leader wishes to retain a reasonable degree of flexibility as to the order in which the various bills are to be called up.

All the bills listed on pages 3980 and 3981 of the RECORD are ready for action, but because of the indication by the Senator from Vermont that there might be some controversy with respect to the measure relating to Public Law 480, I do not plan to call it up on motion today,

because certain Senators desire to be absent on St. Patrick's Day. Unless I change my plans—and I do not think I shall—the bill relating to Public Law 480 will not come up today or tomorrow.

Mr. CASE of South Dakota. That is definitely helpful. Is it the prospect that the bill relating to wheat acreage will be taken up today?

Mr. JOHNSON of Texas. No. I do not plan to move to take up any bills today, other than those which may be passed on the call of the calendar.

Mr. CASE of South Dakota. That is certainly helpful, and I appreciate the statement.

Mr. JOHNSON of Texas. I am always glad to accommodate my friend, to reciprocate for his kindness to me.

Mr. HOLLAND. Mr. President, what can the majority leader tell us with respect to the bill I mentioned a few minutes ago?

Mr. JOHNSON of Texas. The calendar committees have cleared it. I am always glad to see such bills acted upon promptly.

The PRESIDING OFFICER. The clerk will state the next order of business on the calendar.

PETRIFIED FOREST NATIONAL PARK, ARIZ.—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 2359) to authorize the establishment of the Petrified Forest National Park, in the State of Arizona, and for other purposes, was announced as next in order.

Mr. CLARK. Mr. President, I ask that the bill be placed at the foot of the calendar. House action is pending at this moment, and it is hoped that the congressional action on the bill can be completed if we place it at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

BILL PASSED OVER

The bill (H. R. 8002) to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that the bill be passed over. It is not proper business to be disposed of on the call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

RICHARD K. LIM AND MARGARET K. LIM.

The bill (S. 1987) for the relief of Richard K. Lim and Margaret K. Lim was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Richard K. Lim and Margaret K. Lim shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the re-

quired visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

SAYO ONO TAYLOR

The bill (S. 2735) for the relief of Sayo Ono Taylor was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Sayo Ono Taylor shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ABBAS MOHAMMAD AWAD

The Senate proceeded to consider the bill (S. 2713) for the relief of Abbas Mohammad Awad, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrant of arrest, and bonds which may have issued in the case of Abbas Mohammad Awad. From and after the date of the enactment of this act, the said Abbas Mohammad Awad shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHANNA DIPPOLD

The Senate proceeded to consider the bill (S. 2807) for the relief of Johanna Dippold, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act Johanna Dippold, the fiancée of Carl R. Pitchford, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Johanna Dippold is coming to the United States with a bona fide intention of being married to the said Carl R. Pitchford and that she is found otherwise admissible under the provisions of the Immigration and Nationality Act other than the provision of section 212 (a) (9) of that act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act. In the event that the marriage between the above-named persons does not occur within 3 months after the entry of the said Johanna Dippold, she shall be required to depart from the United

States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Johanna Dippold, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Johanna Dippold as of the date of the payment by her of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COMPACT BETWEEN THE STATE OF OREGON AND THE STATE OF WASHINGTON

The Senate proceeded to consider the bill (H. R. 7153) giving consent of Congress to a compact between the State of Oregon and the State of Washington establishing a boundary between those States, which had been reported from the Committee on the Judiciary with an amendment on page 2, after line 4, to strike out:

SEC. 2. The right to alter, amend, or repeal this act is expressly reserved.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

FOURTH INTERNATIONAL AUTOMATION CONGRESS AND EXPOSITION

The Senate proceeded to consider the joint resolution (H. J. Res. 347) authorizing and requesting the President to invite the several States and foreign countries to take part in the Fourth International Automation Congress and Exposition to be held in the New York Coliseum at New York, N. Y., from June 9 to June 13, 1958, which had been reported from the Committee on Foreign Relations with amendments, on page 2, line 3, after the word "authorized", to strike out "and requested"; and in line 7, after the year "1958", to strike out the semicolon and "and be it further

Resolved, That no funds appropriated by Congress for any purpose whatsoever shall be used to defray the expenses of any foreign country or foreign individual participating in the Fourth International Automation Congress and Exposition to be held in New York City."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

The preamble was agreed to.

The title was amended, so as to read: "Joint resolution authorizing the President to invite the several States and foreign countries to take part in the Fourth International Automation Congress and Exposition to be held in the New York Coliseum at New York, N. Y., from June 9 to June 13, 1958."

BILLS PASSED OVER

The bill (S. 3441) to provide for a minimum acreage allotment for corn and for other purposes was announced as next in order.

Mr. ELLENDER. Over.

Mr. TALMADGE. Mr. President, I ask that the bill be passed over. It is not proper business to be disposed of on the call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3408) to amend the Agricultural Adjustment Act of 1938, as amended, so as to provide that cotton-acreage allotments for the States for 1958 and subsequent years shall be no less than in 1956, and for other purposes was announced as next in order.

Mr. TALMADGE. Mr. President, Senate bill 3408 is a bill authored by the junior Senator from Georgia and several other Senators. I ask unanimous consent at this time that the junior Senator from Mississippi [Mr. STENNIS] be listed as one of the sponsors of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. The bill is extremely important to a vast section of our country, but it is the opinion of the calendar committee that it is not calendar business, and it is requested that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

CORN-ACREAGE ALLOTMENTS

The Senate proceeded to consider the bill (S. 3385) to amend section 114 of the Soil Bank Act with respect to compliance with corn-acreage allotments, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 1, line 7, after the word "under", to insert "an acreage-reserve contract or", so as to make the bill read:

Be it enacted, etc., That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this section, no person shall be ineligible to receive payments or compensation under an acreage-reserve contract or a conservation-reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm-acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn-producing area: *Provided*, That the foregoing provisions of this sentence shall apply only to a farm for which an 'old farm' corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

The amendment was agreed to.

Mr. HOLLAND. Mr. President, I appreciate the courtesy of the calendar committees on both sides of the aisle, and of the majority and minority leaders in permitting passage of the bill at this time.

The bill provides that farmers in counties which become commercial corn counties for the first time—and there are 38 such counties in the Nation this year—who are regular corn planters, and who enter into conservation reserve or acreage reserve contracts prior to January 1 of the first year in which the county is included in the commercial corn area, shall be exempted from the requirement of cross-compliance with corn acreage allotments.

The House has passed a similar bill. There are minor differences between the two bills, and the Department of Agriculture is willing to recommend approval of the language of the Senate bill.

At this time I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from further consideration of the House bill, H. R. 10843, that the Senate proceed to the consideration of that bill, that all after the enacting clause be stricken, and that the text of the Senate bill be inserted in lieu thereof.

The PRESIDING OFFICER. The Chair is advised that the bill referred to is not at the desk at the present time. The bill will be sent for.

Mr. HOLLAND. I was advised by the staff of the committee that it was ready to be acted upon.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. ELLENDER. As I understand the situation, the Senator from Florida is asking that the Committee on Agriculture and Forestry be discharged from further consideration of the House bill. Would that not bring it automatically before the Senate?

The PRESIDING OFFICER. The first inquiry the Senator has directed to the Chair is correct. However, the Chair is endeavoring to get the bill to the desk. Once that has been accomplished, further action can be taken on the matter.

Mr. HOLLAND. I ask unanimous consent that the committee be discharged from further consideration of the bill and that when the bill reaches the desk the Senator from Florida be allowed to take up the item again for the action already indicated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND subsequently said: Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar 1394, S. 3385. H. R. 10843, a companion bill, was before the Senate Committee on Agriculture and Forestry, but by earlier action the Senate discharged the committee from further consideration of the House bill, and I desire it substituted for the Senate bill and considered at this time.

Mr. AIKEN. Mr. President, may I ask the nature of the bill to which the Senator from Florida is referring?

Mr. HOLLAND. The bill, which was unanimously reported by the Committee on Agriculture and Forestry, relates to the counties which have become commercial corn counties this year for the first time, and in which corn growers have found themselves in the very diffi-

cult position of being adversely affected by penalties not within the mind of either the Government or themselves at the time the corn growers entered into earlier contracts with the Government for acreage reserve or conservation reserve under the Soil Bank. It also applies to future situations of this kind.

Mr. AIKEN. I realize that those growers are deserving of having something done for them, but I was wondering about Calendar 1392, S. 3441, to provide for a minimum acreage allotment for corn and other purposes.

The PRESIDING OFFICER. That bill was passed over on the call of the calendar.

Mr. AIKEN. I should like to inquire about it. That is the bill in which the Senator from Minnesota [Mr. THYE] is very much interested. It seems to me that it should be tied in with the bill which the Senator from Florida is seeking to have considered now, because it fixes allotments for corn. It also was reported unanimously by the committee. Was there objection to Calendar 1392, S. 3441?

Mr. CLARK. There was objection.

Mr. HOLLAND. I may say, for the information of the Senator from Vermont, that both calendar committees agreed to the consideration of the bill which I have just called up. The majority leader has announced that the other agricultural bills, five in number, will be brought up at the earliest practical opportunity.

Mr. ELLENDER. I objected to the consideration of Calendar No. 1392, S. 3441, on the assumption that it would be taken up tomorrow or at the earliest practical opportunity. The Senator from Minnesota [Mr. THYE] desired to be present when it was taken up. That is why I objected.

Mr. AIKEN. That is perfectly satisfactory to me. I am agreeable to having it go over until tomorrow. I simply thought that if we gave consideration to one of the bills, we ought to give consideration to the other, too. But on the assurance that it will be taken up shortly, I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 10843?

There being no objection, the Senate proceeded to the consideration of the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments.

Mr. HOLLAND. I ask unanimous consent that the House bill be amended by striking out everything after the enacting clause and substituting, in lieu thereof, the text of the Senate bill, S. 3385, as amended.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 10843) was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3385 is indefinitely postponed.

FISHERIES LOAN FUND

The bill (S. 3295) to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such act was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

ATTENDANCE BY CERTAIN FOREIGN STUDENTS AT THE DISTRICT OF COLUMBIA TEACHERS COLLEGE

The Senate proceeded to consider the bill (S. 3243) to permit certain foreign students to attend the District of Columbia Teachers College on the same basis as a resident of the District of Columbia, which had been reported from the Committee on the District of Columbia, with amendments, in line 5, after the word "visas", to strike out "shall" and insert "may", and in line 9, after the word "Columbia", to insert "Admission to and attendance at such college by such students shall be subject to rules and regulations prescribed by the Board of Education of the District of Columbia"; so as to make the bill read:

Be it enacted, etc., That notwithstanding any other provision of law, not to exceed 25 foreign students who are in the United States on valid unexpired student visas may be permitted to attend of the District of Columbia Teachers College each year on the same basis, so far as payment of tuition and fees are concerned, as a resident of the District of Columbia. Admission to and attendance at such college by such students shall be subject to rules and regulations prescribed by the Board of Education of the District of Columbia.

Mr. ELLENDER. Mr. President, may we have an explanation of the bill?

Mr. CLARK. Mr. President, the bill arises by reason of the fact that approximately 25 students from perhaps a dozen foreign countries were admitted to the District of Columbia Teachers College this fall without the payment of tuition and with the understanding that they would not be required to pay tuition. Their personal finances and the public assistance available to them from their countries were based on that understanding. After the conclusion of the first semester the local authorities advising the District of Columbia Teachers College discovered some legal objection in the law to permitting these foreign students to attend the Teachers College without payment of fees.

There was quite an uproar in the newspapers about the situation, to the effect that these young men and women had been unfairly dealt with in being brought to this country under an understanding and then being told that a fee would have to be paid, which fee they were unable to pay. Under the circumstances, as a member of the Subcommittee on the Judiciary of the Committee on the District of Columbia, I undertook to introduce proposed remedial legislation which would permit the students to stay in the country in accordance with the initial

understanding. The bill was approved by the Board of Education of the District of Columbia and by the three Commissioners of the District of Columbia, and it was also unanimously approved by the Committee on the District of Columbia. It was also approved by the Department of State, which indicated it was quite relieved that the bill had been introduced, as the situation was causing the Department some embarrassment.

Mr. ELLENDER. The necessity for the bill is that under the present laws the Board of Education of the District of Columbia is precluded from giving free tuition to foreign students. Is that correct?

Mr. CLARK. The Senator is correct. They did not know it at the time they accepted the students.

Mr. ELLENDER. I understand.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UNIFORM SIMULTANEOUS DEATH ACT

The bill (H. R. 3486) to provide that the Uniform Simultaneous Death Act shall apply in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

RECREATION BOARD FOR THE DISTRICT OF COLUMBIA

The bill (S. 1843) to amend the act entitled "An act to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes," approved April 29, 1942, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the following paragraph be added at the end of section 2, article II, of the act entitled "An act to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes," approved April 29, 1942:

"Notwithstanding the provision of section 301 of the Federal Employees' Pay Act of 1945, as amended (68 Stat. 1110; 5 U. S. C. 921), requiring regularity in the scheduled work between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian, the Board shall have the power to prescribe rules and regulations governing the payment of night differential for nonregularly scheduled work between such hours by such of its employees as are subject to the Classification Act of 1949, as amended, when such nonregularly scheduled work is within the employee's basic workweek: *Provided, however,* That all other provisions of such section 301 shall be in full force and effect: *Provided, further,* That no night differential may be paid for night overtime work that is not regularly scheduled."

REMOVAL OF DANGEROUS AND UNSAFE BUILDINGS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 3059) to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove

dangerous or unsafe buildings and parts thereof and for other purposes," approved March 1, 1899, as amended, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 7, after the word "by", to strike out "(a)"; in line 9, after the word "thereof", to strike out "'Commissioners', and (b) conform to the term 'Commissioners' the pronouns modifying 'inspector of buildings' wherever such pronouns occur in such act" and insert "'Commissioners'". The first sentence of the first section of such act, as amended, is amended by striking 'his opinion' and inserting in lieu thereof 'their opinion' and by striking 'he shall' and inserting in lieu thereof 'they shall'; and on page 3, line 15, after the word "first", to strike out "four" and insert "three"; so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes", approved March 1, 1899 (39 Stat. 923, as amended; title 5, ch. 5, D. C. Code, 1951 edition), is amended by striking the term "Inspector of buildings" wherever such term appears therein and inserting in lieu thereof "Commissioners." The first sentence of the first section of such act, as amended, is amended by striking "his opinion" and inserting in lieu thereof "their opinion" and by striking "he shall" and inserting in lieu thereof "they shall."

SEC. 2. The first section of such act, as amended (sec. 5-501, D. C. Code, 1951 edition), is amended by adding at the end thereof the following:

"The term 'Commissioners' means the Commissioners of the District of Columbia sitting as a board or the agent or agents designated by them to perform any function vested in said Commissioners by this act."

SEC. 3. Section 3 of such act as amended (sec. 5-503, D. C. Code, 1951 edition), is amended by striking the third sentence therefrom.

SEC. 4. The second sentence of section 4 of such act, as amended (sec. 5-504, D. C. Code, 1951 edition), is amended by striking "bear interest at the rate of 10 percent per annum until paid, and be carried on the regular tax rolls of the District of Columbia and shall be collected in the manner provided for the collection of general taxes" and inserting in lieu thereof "be collected as general taxes are collected in said District in the manner provided in section 6 of this act."

SEC. 5. Such act, as amended, is amended by inserting the following sections immediately after section 4, reading as follows:

"SEC. 5. The Commissioners shall determine the cost and expense of any work performed by them under the authority of the first four sections of this act and shall assess such cost and expense upon the lot or ground whereon such structure, excavation, or nuisance stands, stood, was dug, was located, or existed, and this amount shall be collected as general taxes are collected in said District in the manner provided in section 6 of this act. Any person, corporation, partnership, syndicate, or company subject to the provisions of the first 3 sections of this act who shall neglect or refuse to perform any act required by such sections shall be punished by a fine not exceeding \$50 for each and every day said person, corporation, partnership, syndicate, or company fails to perform any act required by such sections.

"SEC. 6 Any tax authorized to be levied and collected under this act may be paid without interest within 60 days from the date such tax was levied. Interest of one-

half of 1 percent for each month or part thereof shall be charged on all unpaid amounts from the expiration of 60 days from the date such tax was levied. Any such tax may be paid in three equal installments with interest thereon. If any such tax or part thereof shall remain unpaid after the expiration of 2 years from the date such tax was levied, the property against which said tax was levied may be sold for such tax or unpaid portion thereof with interest and penalties thereon at the next ensuing annual tax sale in the same manner and under the same conditions as property sold for delinquent general real-estate taxes, if said tax with interest and penalties thereon shall not have been paid in full prior to said sale."

SEC. 6. Section 5 of such act, as amended (sec. 5-505, D. C. Code, 1951 edition), is renumbered "Section 7" and is amended to read as follows:

"SEC. 7. (a) Any notice required by this act to be served shall be deemed to have been served when served by any of the following methods: (1) when forwarded to the last known address of the owner as recorded in the real estate assessment records of the District of Columbia, by registered mail, with return receipt, and such receipt shall constitute prima facie evidence of service upon such owner if such receipt is signed either by the owner or by a person of suitable age and discretion located at such address: *Provided,* That valid service upon the owner shall be deemed effected if such notice shall be refused by the owner and not delivered for that reason; or (2) when delivered to the person to be notified; or (3) when left at the usual residence or place of business of the person to be notified with a person of suitable age and discretion then resident or employed therein; or (4) if no such residence or place of business can be found in the District of Columbia by reasonable search, then if left with any person of suitable age and discretion employed at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or (5) if any such notice forwarded by registered mail be returned for reasons other than refusal, or if personal service of any such notice, as hereinbefore provided, cannot be effected, then if published on 3 consecutive days in a daily newspaper published in the District of Columbia; or (6) if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, then if served on the owner of record in a manner hereinbefore provided. Any notice to a corporation shall, for the purposes of this act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and notices to a foreign corporation shall, for the purposes of this act, be deemed to have been served if served personally on any agent of such corporation, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia.

"(b) In case such notice is served by any method other than personal service, a copy of such notice shall also be sent to the owner by ordinary mail."

SEC. 7. Such act, as amended, is amended by inserting a new section immediately after section 7, as renumbered by this amendatory act, reading as follows:

"SEC. 8. Whenever the Commissioners find that any building or part of a building, staging or other structure, or anything attached to or connected with any building or other

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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For actions of March 19, 1958
85th-2d, No. 44

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HIGHLIGHTS: Senate debated bill to extend Public Law 480. House passed housing bill. House agreed to resolution to accelerate public works programs. Rep. Philbin commended watershed control program. Sen. Proxmire and others introduced and Sen. Proxmire discussed bill to establish National Food Allotment Program. Sens. Kerr and Monroney introduced and Sen. Kerr discussed bill to extend loan authorizations for flood control and watershed protection.

HOUSE

1. PRICE SUPPORTS; ACREAGE ALLOTMENTS. The Rules Committee reported without amendment H. Res. 505, to provide for consideration of S. J. Res. 162, to prohibit reductions in price supports or acreage allotments below 1957 levels (H. Rept. 1534). p. 4293
2. HOUSING. On a motion to suspend the rules, passed without amendment S. 3418, the housing bill, which contains various changes in the VA direct loan program, including a definition of direct-loan areas as rural areas and small cities and towns not near large metropolitan areas (pp. 4236-42). This bill will now be sent to the President.
3. CORN. House and Senate conferees were appointed on H.R. 10843, to permit soil bank payments to certain corn producers in the commercial area who exceed their corn acreage allotments. pp. 4221, 4262
4. PUBLIC WORKS. Agreed to without amendment, by a vote of 377 to 16, S. Con. Res. 68, expressing the sense of Congress in favor of accelerating civil construction programs for which appropriations have been made. pp. 4248-55

5. FORESTRY. Rejected (256 to 139 not being two-thirds) a motion to suspend the rules to consider S. 3262, to authorize Federal grants to construct Olympic facilities for the 1960 winter games on Forest Service land. pp. 4256-61
6. RECLAMATION. Agreed to a Senate amendment to S. 2120, to authorize the Secretary of the Interior to construct and maintain the Mercedes division of the lower Rio Grande rehabilitation project, Tex. This bill will now be sent to the President. p. 4263
7. WATERSHEDS. Rep. Philbin commended the Watershed Control and Flood Prevention Act, discussed its operation in Mass. flood control, and urged consideration for the new \$29 million budget request. pp. 4265-8
8. EMPLOYMENT; ECONOMIC SITUATION. Several Reps. discussed the economic situation and the plans proposed to halt recessions. pp. 4246-7, 4263-5, 4284-5
9. TRADE AGREEMENTS. Reps. Davis, Ga., Jarman, Patterson, Burleson, Withrow, Mack, Wash., Van Zandt, Westland, Lane, Saylor, Taber, Moore, Staggers, Rogers, Kilch, Thomson, Gross, Bailey, Henderson, Van Pelt, and McMillan discussed H. R. 11643 and other bills to amend the Reciprocal Trade Agreements Act to restrict Presidential control over Tariff Commission decisions and extend the peril point and escape clause authority to perishable agricultural commodities and certain national security items. pp. 4268-84

SENATE

10. SURPLUS COMMODITIES; FOREIGN TRADE. Continued debate on S. 3420, to extend Public Law 480. (pp. 4201, 4202-6, 4207-20, 4221-33) No amendments were voted upon. Still pending is the amendment by Sen. Aiken to strike out sections 5 and 6 of the bill.
11. FARM PRICES. Sen. Humphrey inserted a resolution endorsed by several farmers' union locals urging Congress "to oppose the recommendations for still lower farm price support levels," and recommended steps to "restore farm prices to a higher level." p. 4176
Sen. Symington took issue with the President's statement opposing a freeze on price supports and acreage allotments, and stated that "in making this statement, the President not only takes direct issue with a majority of the Senate, but also with a majority of the members of the Senate Agriculture Committee, including the three ranking Republican members." pp. 4182-3
12. MEAT PACKERS. Sen. O'Mahoney spoke in favor of legislation to "make the Federal Trade Commission, rather than the Department of Agriculture, the agency having jurisdiction to prosecute antitrust and monopolistic practices in the meat-packing business." p. 4215
13. SURPLUS FOOD. Sen. Clark spoke in favor of legislation to provide for greater distribution of surplus food to the needy, and inserted a resolution from the City Council of Philadelphia favoring such legislation. pp. 4181-2
Sen. Aiken stated that he had been advised by the Secretary that "as soon as it can be packaged and prepared for distribution, butter owned by the Commodity Credit Corporation will be made available for welfare work in the States." p. 4185
14. ECONOMIC SITUATION. Sens. Humphrey and O'Mahoney discussed the current economic situation. pp. 4189-94

CORRECTION OF VOTE

Mr. TABER. Mr. Speaker, on behalf of the gentleman from New York [Mr. GWINN] I ask unanimous consent to correct the RECORD on rollcall No. 23. I have been advised by his office and other sources that he was not here that day.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

BENEFITS TO WIDOWS OF EMPLOYEES OF LIGHTHOUSE SERVICE

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 235) to increase from \$50 to \$75 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first section and section 2 of the act entitled "An act to provide benefits for widows of certain persons who were retired or are eligible for retirement under section 6 of the act entitled 'An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes,' approved June 20, 1918, as amended," approved August 19, 1950 (33 U. S. C. 771 and 772) are each amended by striking out "\$50 per month" and inserting in lieu thereof "\$75 per month."

SEC. 2. The amendments made by this act shall take effect on the first day of the first month which begins after the date of the enactment of this act.

The SPEAKER. Is a second demanded?

The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

(Mrs. SULLIVAN, at the request of Mr. BONNER, was given permission to extend her remarks at this point in the RECORD.)

Mrs. SULLIVAN. Mr. Speaker, I rise in support of S. 235 and urge its passage.

Through the years that civilians have manned the light stations, the wife of the lightkeeper has been an indispensable part of the Lighthouse Service, and she received no pay for the work it was necessary for her to perform. Witnesses have testified that a prerequisite to appointment as a civilian lightkeeper, at stations affording living quarters, was a wife who could share the responsibilities of the light station, and who could perform the duties of its operation along with her husband. Employment as a lightkeeper usually meant living in an isolated place, and dwelling space provided for the keepers and their families afforded few, if any, conveniences. Periods of bad weather meant 24-hour duty, during which the wife of the keeper took her turn to make possible the round-the-clock maintenance of the station. At the larger stations, where 2 or perhaps 3 keepers were in attendance, the wife of each keeper had her regular duty hours. The contribution made by the keepers' wives was that without which there would not have been a Lighthouse Service, and there is little doubt that wives of the keepers lived an ardu-

ous existence, performing duties that often assumed heroic proportions.

HEARING ON S. 235, 85TH CONGRESS, MAY 1, 1957

As of the time of this hearing, held on May 1, 1957, there were a small group of 415 widows and the cost per fiscal year at that time was \$249,000. The additional cost per year for the \$25 per month increase would be \$124,500 per year, subject, of course, to the death of these pensioners, since on the whole they are an aged group.

As of the date of March 1, 1958, there were 408 of these widows on the pension roll. This would decrease the pension roll at the present \$50 per month by \$4,200, and would subtract \$2,100 from the figure of \$124,500 which was set out at the 1957 hearing. There is no possibility of an increase in the number of people who would be affected by this proposed \$25 per month increase. Rather, due to mortality, there will be a decided decrease as the years pass.

Had these pensioners been under civil service during the interval of time that they had been drawing \$50 per month, they would have been entitled to an increase of 12 percent, based on the amount of pension at that time. Therefore, had they been under civil service, they would have in all probability been drawing approximately \$68 per month over that interval of time.

The subcommittee, as well as the full Committee on Merchant Marine and Fisheries, agreed this bill should pass on its merits.

(Mr. GARMATZ, at the request of Mr. BONNER, was given permission to extend his remarks at this point in the RECORD.)

[Mr. GARMATZ' remarks will appear hereafter in the Appendix.]

TWO HUNDREDTH ANNIVERSARY OF THE BIRTH OF ALEXANDER HAMILTON

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 483) to amend the act of August 30, 1954, establishing a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 10, strike out "March 15, 1958" and insert "April 30, 1958."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I hope I shall not have to object, but is this going to cost any money?

Mr. FORRESTER. Not one penny.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SOIL BANK ACT

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: MESSRS. COOLEY, POAGE, GATHINGS, HILL, and HOEVEN.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I again ask unanimous consent that the Committee on Rules may have until midnight tomorrow night to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

NATIONAL FREEDOM SHRINE FOUNDATION

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 459 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8290) to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), "An act to create a National Monument Commission, and for other purposes." After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. Speaker, I have no requests for time on the rule.

Mr. ALLEN of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, this is a rule making in order the bill

riod of 30 years and even longer this area will continue to be used. The cost of building the arena, \$3½ million of Federal money, will be returned by those rentals. After a period of 30 years, if we look at this investment impartially, we will find that we have sustained the dignity and the pride of America as a host nation for the international winter Olympic games and we will probably more than be even moneywise inasmuch as California is gaining in population so rapidly that we do not have places for these people to ski any more.

I believe that this will not turn out to be a bad investment for the Federal Government at all. I want to call attention to the fact that there is a Federal interest in this matter. It is the interest of the United States Government in maintaining a good face to the world as a host nation in these international winter Olympics, and because of that the President of the United States—and I call careful attention to this—in his budget message and prior to the time that legislation was even introduced, approved the expenditure of \$4 million in his budget message. This legislation implements the request made by the President of the United States in that budget message.

And, I would say further and in conclusion that if you will look at the departmental reports that the Secretary of Defense, the Secretary of Agriculture, the Secretary of State, the Comptroller General, as well as the President of the United States have approved of this legislation and asked for favorable action of the House on it. I hope that that will occur today. I see nothing else for us to do. California is putting in \$8 million to make these winter international games a success, and the Congress is now being asked to put up half that much money.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. ENGLE. I yield to the gentleman from California.

Mr. McDONOUGH. To supplement the remarks of the gentleman, may I read from the report:

For a number of years, the Armed Forces have been engaged in research and training for operations in mountain and cold weather conditions and are capable of providing the required assistance with a minimum of orientation and training. In addition, some training benefits will be derived in providing this support.

Mr. ENGLE. That is correct. As a matter of fact, if they were not spending it there, they would be spending it some place else to get the winter training. And, with reference to the balance, as I said before, it will not only meet our obligation, but in all probability we will get it back twice over. We cannot invite these people here and then refuse to put up the money to take care of them. California is doing more than its share—twice as much as is being asked of the Federal Government—and we should be willing to do our part to make these games an outstanding success and reflect credit on the United States. No other sensible course is open to us.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and the Chair being in doubt, the House divided and there were—ayes 134, noes 56.

Mr. TABER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 256, nays 139, not voting 35, as follows:

[Roll No. 25]

YEAS—256

Addonizio	Frazier	Miller, Md.
Albert	Frelinghuysen	Miller, N.Y.
Allen, Calif.	Friedel	Mills
Anderson,	Fulton	Mitchell
Mont.	Garmatz	Montoya
Anfuso	Gary	Moore
Arends	Gathings	Morano
Ashley	Gavin	Morgan
Aspinall	Glenn	Morris
Bailey	Granahan	Moss
Baker	Green, Oreg.	Multer
Raldwin	Green, Pa.	Natcher
Baring	Gregory	Nicholson
Barrett	Griffiths	Nimitz
Bass, Tenn.	Gubser	O'Brien, Ill.
Bates	Hagen	O'Brien, N. Y.
Becker	Hale	O'Hara, Ill.
Beckworth	Halleck	O'Neill
Bennett, Pa.	Hardy	Osmers
Bennett, Mich.	Harris	Ostertag
Blatnik	Harrison, Va.	Passman
Blitch	Haskell	Patman
Boggs	Hays, Ark.	Paterson
Boland	Healey	Pelly
Bolling	Hebert	Perkins
Bonner	Hesolton	Pfost
Boykin	Hess	Philbin
Boyle	Hill	Pilcher
Bray	Hillings	Poage
Breeding	Holfield	Porter
Brooks, La.	Holland	Powell
Brooks, Tex.	Holmes	Preston
Broomfield	Holt	Price
Brown, Ga.	Holtzman	Quie
Brown, Mo.	Hosmer	Rabaut
Burdick	Huddleston	Reece, Tenn.
Burleson	Hull	Rhodes, Ariz.
Byrne, Pa.	Hyde	Rhodes, Pa.
Canfield	Ikard	Riehlman
Carnahan	Jarman	Riley
Celler	Jennings	Roberts
Chamberlain	Johnson	Robison, Ky.
Chief	Jones, Ala.	Rodino
Chenoweth	Judd	Rogers, Colo.
Christopher	Karsten	Rogers, Fla.
Clark	Keating	Rogers, Mass.
Coffin	Kee	Rogers, Tex.
Cooley	Kelly	Rooney
Corbett	Keogh	Roosevelt
Cunningham,	Kilday	Sadlak
Iowa	Kilgore	Santangelo
Dawson, Ill.	King	St. George
Delaney	Kitchin	Saund
Dellay	Kluczynski	Saylor
Dent	Knutson	Scott, N. C.
Denton	Lane	Scudder
Derounian	Lankford	Seely-Brown
Devereux	LeCompte	Selden
Dingell	Lesinski	Sheppard
Dixon	Libonati	Shuford
Dollinger	Lipscomb	Sieminski
Donohue	Long	Sikes
Dorn, N. Y.	McCarthy	Sisk
Dorn, S. C.	McCormack	Smith, Calif.
Dwyer	McDonough	Smith, Miss.
Eberhart	McFall	Spence
Edmondson	McGovern	Staggers
Elliott	McIntire	Steed
Engle	Machrowicz	Sullivan
Evins	Mack, Ill.	Teague, Calif.
Fallon	Madden	Teller
Farbstein	Mahon	Tewes
Fascell	Mailliard	Thomas
Feighan	Martin	Thompson, N. J.
Fisher	May	Thompson, Tex.
Flood	Merrow	Thomson, Wyo.
Forand	Metcalf	Thornberry
Ford	Michel	Tollefson
Forrester	Miller, Calif.	Trimble

Udall
Ullman
Utt
Vanik
Van Zandt
Vinson
Wainwright

Walter
Westland
Widnall
Wier
Willis
Wilson, Calif.
Withrow

Wolverton
Wright
Yates
Young
Younger
Zablocki
Zelenko

NAYS—139

Abbltt
Abernethy
Adair
Alexander
Alger
Allen, Ill.
Andersen,
H. Carl
Andrews
Ashmore
Auchincloss
Avery
Bass, N. H.
Baumhart
Beamer
Belcher
Bentley
Berry
Betts
Bolton
Bosch
Brown, Ohio
Brownson
Bryhill
Budge
Bush
Byrne, Ill.
Byrnes, Wis.
Cannon
Carrigg
Cederberg
Chiperfield
Church
Clevenger
Coad
Collier
Colmer
Coudert
Cramer
Cretella
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Davis, Ga.
Dawson, Utah
Dennison

Dowdy
Everett
Fenton
Fino
Flynt
Fountain
George
Gray
Griffin
Gross
Hailey
Harden
Harrison, Nebr.
Harvey
Hemphill
Henderson
Herlong
Hiestand
Hoeben
Hoffman
Jackson
James
Jenkins
Jensen
Johansen
Jonas
Jones, Mo.
Kearns
Kilburn
Knox
Krueger
Lafore
Laird
Landrum
Latham
Lennon
Loser
McCulloch
McGregor
McMillan
McVey
Macdonald
Mack, Wash.
Marshall
Mason
Matthews

Mesder
Miller, Nebr.
Minshall
Mumma
Neal
Norblad
Norrell
O'Hara Minn.
O'Konski
Pillion
Poff
Polk
Prouty
Ray
Reed
Rees, Kans.
Reuss
Robeson, Va.
Robison, N. Y.
Rutherford
Schenck
Scherer
Schwengel
Scott, Pa.
Scrivner
Sheehan
Siler
Simpson, Ill.
Smith, Kans.
Smith, Va.
Springer
Stauffer
Taber
Talle
Taylor
Tuck
Van Pelt
Vursell
Watts
Weaver
Wharton
Whitener
Whitten
Williams, Miss.
Wilson, Ind.
Winstead

NOT VOTING—35

Ayres
Barden
Bow
Buckley
Byrd
Cunningham,
Nebr.
Davis, Tenn.
Dies
Diggs
Dooley
Doyle

Durham
Fogarty
Gordon
Grant
Gwinn
Hays, Ohio
Horan
Kearney
Kirwan
McIntosh
Magnuson
Morrison

Moulder
Murray
Radwan
Rains
Rivers
Shelley
Simpson, Pa.
Teague, Tex.
Thompson, La.
Vorys
Wigglesworth
Williams, N. Y.

So, two-thirds not having voted in favor thereof, the motion was rejected.

The Clerk announced the following pairs:

Mr. Rains with Mr. Wigglesworth.
Mr. Dies with Mr. Simpson of Pennsylvania.
Mr. Davis of Tennessee with Mr. McIntosh.
Mr. Thompson of Louisiana with Mr. Radwan.
Mr. Morrison with Mr. Gwinn.
Mr. Moulder with Mr. Ayres.
Mr. Hays of Ohio with Mr. Kearney.
Mr. Buckley with Mr. Horan.
Mr. Byrd with Mr. Dooley.
Mr. Fogarty with Mr. Bow.
Mr. Grant with Mr. Vorys.
Mr. Shelley with Mr. Williams of New York.
Mr. Doyle with Mr. Cunningham of Nebraska.

Messrs. NORRELL, BYRNES of Wisconsin, and ALGER changed their vote from "yea" to "nay."

Messrs. PASSMAN and BOLAND changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

PROPOSED INCREASE IN DUTY ON IMPORTS OF CANADIAN GRAIN UNFIT FOR HUMAN CONSUMPTION

Mr. LANGER. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. LANGER. A few days ago I received from certain operators of North Dakota elevators and from other North Dakota citizens letters stating that there is only a 5-cent duty on the imports of Canadian wheat which is unfit for human consumption. They want to have the duty raised.

In that connection, I wrote a letter to the distinguished chairman of the Committee on Agriculture and Forestry, the senior Senator from Louisiana [Mr. ELLENDER]. In that connection, a report was requested from the Department of State.

Believe it or not, Mr. President, the Department of State has objected to an increase in the duty; it did not want the duty increased. It said it was opposed to such an increase because it wished to maintain friendly relations with the Canadian Government.

On yesterday, we had under discussion that Canadian situation, in connection with this bill, as the Senator from Minnesota will remember.

It seems to me that when American farmers object to the importation of poisonous grain, grain which is entirely unfit for human consumption, and when they want a reasonable duty—of 15 or 20 cents a bushel—imposed on it, neither the Department of Agriculture nor the Senate Committee on Agriculture and Forestry should be swayed by what may be written in by some clerk.

Mr. HUMPHREY. Mr. President, I am sure the Senator from North Dakota will be very happy to know that this morning the Committee on Agriculture and Forestry, at the request of the junior Senator from North Dakota [Mr. Young] and the request of the chairman of the committee, the senior Senator from Louisiana [Mr. ELLENDER] and, I believe, the request of the Senator from Florida [Mr. HOLLAND], moved to report to the Senate the bill to which the Senator from North Dakota refers. I believe it is Senate bill 666.

Mr. HOLLAND. What bill is that?

Mr. HUMPHREY. I believe the Senator from North Dakota [Mr. Young] moved that the bill be reported to the Senate.

Mr. ELLENDER. And it was reported.

Mr. LANGER. I thank the Senator from Minnesota.

The message also announced that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 2120) to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, Mercedes division.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. GATHINGS, Mr. HILL, and Mr. HOEVEN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 483) to amend the act of August 20, 1954, establishing a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton.

The message further announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 68. Concurrent resolution favoring the acceleration of civil construction programs for which appropriations have been made; and

S. Con. Res. 69. Concurrent resolution favoring the acceleration of military construction programs for which appropriations have been made.

AMENDMENT OF SOIL BANK ACT, RELATING TO CORN ACREAGE ALLOTMENTS

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. AIKEN, and Mr. YOUNG conferees on the part of the Senate.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

The Senate resumed the consideration of the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954.

Mr. HUMPHREY. Mr. President, in order to make my amendment completely clear, I modify it as follows:

On page 4, in line 8, strike out the word "materials", and insert "strategic materials."

That modification will take care of the situation indicated by the Senator from Florida.

Mr. LAUSCHE. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. I have tried to read the hearings, in order to ascertain the positions taken by the Secretaries of the various departments. But I find the task to be rather difficult.

Therefore, I should like to hear the Senator from Minnesota state the position of the Department of Agriculture and the Department of State, and also the Department of the Interior, for I believe a representative of that Department, also, testified at the hearings.

Mr. HUMPHREY. Yes.

Mr. LAUSCHE. I should also like to have the Senator from Minnesota indicate the position taken by the representatives of other departments who testified, if the Senator from Minnesota can do so without going to too much trouble.

Mr. HUMPHREY. In relation to the extension of Public Law 480, without the barter changes we are proposing, the administration, through representatives of the Bureau of the Budget, the Department of State, and the Department of Agriculture, supports the basic extension.

As regards the amendments which were proposed—

Mr. LAUSCHE. Prior to the correction?

Mr. HUMPHREY. I believe I am correct in stating that all parts of this bill—with the exception of section 303, the barter section—receive support from the Department of Agriculture.

The 2-year provision, as I recall, was not opposed by the Department of Agriculture; but neither did the Department of Agriculture support it.

Mr. ELLENDER. The Department of Agriculture did not support it in its report; but Dr. Paarlberg, who testified, urged no objection to the 2-year provision.

Mr. HUMPHREY. Yes.

So the real argument has been over section 303 of the bill, which has received opposition from the State Department and the Department of Agriculture. I cannot speak for the Department of the Interior, except to say that the witness for the Department of the Interior who testified about bartering was much more sympathetic toward it, and, in fact, encouraged an extension of bartering—as contrasted to the position taken by the Department of Agriculture, which discouraged it.

Mr. LAUSCHE. That confirms the impressions I gained from reading the testimony.

Am I correct in believing that the objections are primarily on 2 or perhaps 3 bases: First, that it would create difficulties with friendly nations who, because of this method by which we dispose of gain, through barter, are en-

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 235. An act to increase from \$50 to \$75 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service; and

S. 3418. An act to stimulate residential construction.

countering competition in the sale of grain?

Mr. HUMPHREY. That is the assertion that is made.

Mr. LAUSCHE. Second, that this method of disposing of our surplus agricultural commodities prevents the making of transactions which otherwise would be made in the market, on a dollar-sales basis?

Mr. HUMPHREY. That is the claim.

Mr. LAUSCHE. On page 524 of the hearings, I find the testimony of Mr. Berger, who explained why the barter program was discontinued. By referring to the last full paragraph on that page, we find that he pointed out the following:

You will note that this so-called easy market—this traditional dollar market for our commodities—took only 30 percent and 31 percent, respectively, in 1955 and 1956 of United States agricultural exports other than barter.

In the tabulation previously referred to, I take it that he identified the United Kingdom, the Netherlands, Belgium and Luxembourg, France, and West Germany as potential dollar purchasers.

Mr. HUMPHREY. Yes.

Mr. LAUSCHE. And he pointed out that those who bartered, and who normally would buy with dollars, in 1955 and 1956 bought only 30 and 31 percent, respectively.

Mr. HUMPHREY. Yes.

Mr. LAUSCHE. Third, is it the position of some of the Departments that we are foisting upon other nations the acceptance of obligations, in making public improvements, which will encumber their economies to a degree far greater than they will be able to bear?

Mr. HUMPHREY. I would not say that was one of the complaints that had been made; no.

Mr. LAUSCHE. I read one complaint which expressed that view. Those two are the primary complaints.

Mr. HUMPHREY. The two which the Senator has so succinctly analyzed are the primary complaints: No. 1, that barter replaces cash sales; and, No. 2, that it interferes with our foreign relations.

I only add to the evidence on that point by stating that we had complaint about the reception of that arrangement in only 1 or 2 countries, and that was primarily in the barter program. I must say, most unfortunately, that we had some complaints with respect to the sale of certain surplus dairy products and some cotton; but in the main, considering the amount disposed of, I think the complaints were minimal.

Insofar as cash sales are concerned, I am open to conviction, but I have not found testimony to back up the contention which has been made. I think Mr. Berger himself said we did not have conclusive evidence.

Mr. LAUSCHE. While he said he did not have conclusive evidence, in my opinion the tabulation which he put in the record offers sufficient strength, in my judgment, at least to cause minds to differ, and many minds would come to the conclusion that the barter program had displaced the cash sales program.

Mr. HUMPHREY. I may say, at that point, it happens that the best years we had for exporting agricultural commodities were 1955, 1956, and early 1957. It was in those same years that we had the greatest number of barter transactions. One must go back a little further and find out how well we were doing in export sales before bartering came into effect. When one does that, he finds we were not displacing cash sales; we simply were not getting them. The only reason why a barter sale works at all is that a little better price is obtained. The reason for that is that the product is not bought from another country.

Mr. LAUSCHE. I have a final question, if I may ask it.

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. In what manner is the present law changed so as to bar the Secretary of Agriculture from considering as a factor, in making up his judgment, the invasion of barter into the field of cash sales?

Mr. HUMPHREY. I point out to the Senator from Ohio that in the report accompanying the bill it is stated that we expect the Secretary to use caution, prudent judgment, and common and good business sense. That is the advice the Congress gives to him. Also, we say he shall barter, in so far as it is practicable, providing certain requirements are met, such as that the material bartered for is more storable, has good value, and does not cost as much for storage. We are just going to have to rely on the Secretary.

Mr. LAUSCHE. If we rely upon the Secretary to use his judgment, what is wrong with the suggestion made by the Senator from Vermont [Mr. AIKEN] that there ought to be language in the amendment which will not bar him from considering the extent to which barter has invaded the ability to make cash sales?

Mr. HUMPHREY. From my point of view, the reason is very easy to understand. It is that language which has killed the barter program. It is on that very language that the Secretary has rested his entire case. It is on that basis that he stopped the program—the same program, by the way, that was in operation 2½ years, the same program which was praised as doing good and as being a good tool in our surplus disposal program. On May 28, 1957, for reasons I have been unable to ascertain, the program was stopped, and only \$400,000 worth of business was engaged in from May until October 1.

Mr. LAUSCHE. For the purpose of discussion, assume that, justifiably, and based on evidence, the Secretary of Agriculture does find that barter has hampered cash sales. What, in the opinion of the Senator from Minnesota, should the Secretary of Agriculture do under that circumstance?

Mr. HUMPHREY. I think under that circumstance he should make the cash sales.

Mr. LAUSCHE. Would the Senator from Minnesota go so far as to say that in that instance barter transactions ought to be stopped?

Mr. HUMPHREY. I would say that in that instance the Secretary of Agriculture ought to reject a barter arrangement. In other words, if he finds a cash sale can be made by a grain company—I trust they would be engaged by the private trade—he ought not to take, in its place, a barter arrangement. However, I point out that the same companies that engage in cash sales do bartering. The only reason why they sometimes engage in bartering is that they have an opportunity to make sales that could not be made for cash.

I want the RECORD to be clear that, as I stated earlier in this debate, I feel Title I sales for soft currency surely ought to have a priority type of treatment. The most important sale is for dollars. The second is for soft currency. High in the same category is barter. So if the Secretary has any doubt about how the Senator from Minnesota feels, I hope this discussion will dispel that doubt. I feel the questioning by the Senator from Ohio has been very helpful. I think whenever we can make dollar sales, we ought to pursue them.

Mr. LAUSCHE. Will the Senator yield so that I may ask the Senator from Vermont his opinion on a matter?

Mr. HUMPHREY. I yield for that purpose.

Mr. LAUSCHE. I should like to ask the Senator from Vermont for his interpretation of the discretionary power which will lie in the Secretary of Agriculture in considering whether the situation is such that barter is invading cash sales.

Mr. AIKEN. I would say the proposal of the Senator from Minnesota removes all discretion on the part of the Secretary of Agriculture. It virtually directs the Secretary to barter, up to \$500 million worth a year, even if all of it would come from what otherwise would be dollar sales. As I pointed out yesterday, a great majority of our bartering, to the extent of \$900 million, was with countries of western Europe which normally paid dollars. When we stopped the bartering, our deliveries kept up just the same. The countries paid in dollars.

Mr. HUMPHREY. I would say to the Senator from Ohio, in response to the view of the Senator from Vermont, the only reason a barter sale was made to a country in Western Europe was that the country was able to get a little better price from an American firm than from an Argentine firm or an Australian firm or a Canadian firm. Remember, if it was in Great Britain, for example, and the price was equal between the United States and a Commonwealth country, the Commonwealth country would get the business.

So we would not have had a cash sale if the cash prices had been equal.

When we talk about displacing American dollar sales, I point out that we cannot displace dollar sales if we were not going to get the sales, and we would not get them unless the price and quality were right.

The evidence which the traders have given is quite important. They are not

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 25, 1958
For actions of March 24, 1958
85th-2nd, No. 47

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HIGHLIGHTS: House received conference report on second supplemental appropriation bill. Senate referred back to committee bill to transfer certain functions under Packers and Stockyards Act to FTC. Senate passed bill to grant relief to certain farmers who overplanted wheat acreage allotments. (Continued on page 6.)

HOUSE

1. APPROPRIATIONS. Received the conference report on H. R. 10881, the second supplemental appropriation bill for 1958 (H. Rept. 1544) (pp. 4591-2). The attached table explains the actions of the conferees regarding USDA items. Note particularly footnote e/ regarding \$3,000 limitation on acreage reserve payments.
2. FOREIGN TRADE. Both Houses received from the Export-Import Bank a report on its activities, July-Dec. 1957. pp. 4494, 4601
3. SURPLUS PROPERTY. Received from the International Cooperation Administration a report on its foreign excess property disposals during 1957. p. 4601
4. FLOOD INSURANCE. Received a Ky. Legislature memorial urging Congress to implement the Federal Flood Insurance Act of 1956. p. 4603
5. TEXTILES. Received Mass. Legislature memorial urging Congress to enact legislation "protecting textile, fishing, and other historic industries." p. 4603

March 24, 1958

6. FOOD ADDITIVES. Received a petition urging enactment of H. R. 7798, to protect the public health by controlling the addition of chemical additives to food. p. 4603
7. SCHOOL LUNCHES. The Health, Education, and Recreation Subcommittee ordered reported to the D. C. Committee with amendment S. 1764, to authorize payment of the cost of free lunches for needy children in the D. C. public schools (reported in place of H. R. 6811). p. D249
8. LEGISLATIVE PROGRAM. Rep. McCormack announced that the business before the House Mar. 25 would be H. R. 10881, the second supplemental appropriation bill, H. R. 11470, the military pay raise bill, and H. R. 11574, the independent offices appropriation bill for 1959. p. 4593

SENATE

9. MEATPACKERS. Agreed to a unanimous consent request by Sen. Johnson to refer S. 1356, to transfer certain functions under the Packers and Stockyards Act from this Department to FTC, to the Committee on Agriculture and the Committee on the Judiciary with instructions that the bill be reported back with the recommendations of the Committee on Agriculture and Forestry not later than Mon., April 21, 1958. (pp. 4516-17) Senators O'Mahoney, Watkins, and others discussed this proposed legislation. (pp. 4564-89)
10. WHEAT. Passed without amendment H. R. 11086, to grant relief from penalties to certain farmers who overplanted their wheat acreage allotments. A similar bill, S. 3406, was indefinitely postponed. (pp. 4523-25) This bill will now be sent to the President.
11. CORN. Agreed to the conference report on H. R. 10843, to permit soil bank payments to certain corn producers in the commercial area who exceed their corn acreage allotments. Sen. Holland inserted the following statement in explanation of the report:

"The conference substitute differs from the Senate amendment to H. R. 10843 in that it extends its provisions to all 1958 acreage reserve contracts in the 38 counties first included in 1958 in the commercial corn-producing areas. As related to acreage reserve contracts the Senate amendment covered only those 1958 contracts, executed prior to January 1, 1958, which would have meant that only winter wheat acreage reserve contracts entered into last fall would have been covered.

"The House bill differed from the Senate amendment in two respects in the case of acreage reserve contracts. The House bill covered all 1958 acreage reserve contracts in the 38 new counties, but did not apply to acreage reserve contracts for any subsequent year. The Senate amendment applied only to acreage reserve contracts executed prior to January 1, and would be applicable to 1959 acreage reserve contracts if there should be an acreage reserve program for 1959.

"The conference substitute adopts the House provisions with respect to covering all 1958 acreage reserve contracts and the Senate provision with respect to covering 1959 acreage reserve contracts.

"Both the House bill and the Senate amendment provided exemption from the requirement of cross-compliance with corn acreage allotments for all conservation reserve contracts entered into prior to January 1 of the first year in which the county was included in the commercial corn area. This exemption is a permanent one and is retained in the conference substitute." pp. 4545-46

Federal-Aid Highway Act of 1956. I think you have done a good job in putting together the content of this amendment, and I hope you and your associate will succeed in having it grafted onto the main highway act.

Kind regards.

Yours truly,

E. B. MACNAUGHTON.

OREGON ROADSIDE COUNCIL,
Portland, Oreg., March 20, 1958.

EDITOR, BETTER ROADS.

Chicago, Ill.

DEAR SIR: In your issue of October 1957, there is a letter signed by Frank Blake which carries misstatements which I think should be corrected. Mr. Blake is director of public relations of the Outdoor Advertising Association of America. He states, "We have not the slightest desire or intention of exploiting the open country, nor the scenic areas alongside the new Interstate Highway System, and we operate under a strict code of practices that would prevent such action on our part." What are the facts? Billboards put up by members of his association blight the open country and scenic areas alongside the new interstate system in many, many places over the country.

As an example of the error in the claim of the outdoor advertisers and their disregard of the wishes of the majority of people, I enclose a photograph of a section of the New Portland (Oreg.)-Salem Freeway, a part of the interstate system, new U. S. No. 5, with 4 billboards in sight. This highway traverses the open country of the lovely Willamette Valley with views of the snowcapped Cascade Range—Mt. Hood, Mt. Jefferson, etc. Yet the billboards shown in the picture were recently erected by members of the Outdoor Advertising Association of America.

I hope you can use this photo and, perhaps, this letter (in part) in your columns. Very truly yours,

THORNTON T. MUNGER,
Vice President.

Mr. KUCHEL. Mr. President, before the Senator yields the floor, will he yield for a brief comment?

Mr. NEUBERGER. I am happy to yield.

Mr. KUCHEL. I congratulate the able Senator from Oregon on a very clear expression of the intention for which the billboard amendment was drafted, and a very clear demonstration of what he believes—a belief in which I am pleased to share completely—can be accomplished if the amendment remains in the Senate bill and continues to be a part of the vehicle to which it is now attached, the Highway Act of 1958.

Mr. NEUBERGER. I particularly appreciate the generous comments of the Senator from California, because without his cooperation it is my feeling that we would not have this proposal in the Senate today. I thank him from the bottom of my heart.

Mr. President, I thank my colleagues for their indulgence, and I yield the floor.

AMENDMENT OF SOIL BANK ACT, RELATING TO COMPLIANCE WITH CORN ACREAGE ALLOTMENTS— CONFERENCE REPORT

Mr. HOLLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with

respect to compliance with corn acreage allotments. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this section—(1) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for 1958 by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if the county in which such farm is located is included in the commercial corn-producing area for the first time in 1958; (2) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for any year subsequent to 1958 or a conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn-producing area: *Provided*, That the foregoing provision of this sentence shall apply only to a farm for which an 'old farm' corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
GEORGE D. AIKEN,
MILTON R. YOUNG,

Managers on the Part of the Senate.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
WILLIAM S. HILL,

Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HOLLAND. Mr. President, I want it distinctly understood that the Senate amendment does not prevail in its entirety, but that the two things which the Senate set out to do are accomplished under the conference substitute.

The first was to make certain that the persons in the 38 counties of the Nation which have become this year commercial corn counties for the first time, and who had last year or the year before

signed conservation reserve agreements, were not penalized because their counties had come into the classification of commercial corn counties, and thereby forced to accept corn allotments or forgo their Soil Bank payments which neither they nor the Government had in mind at the time the conservation reserve agreements were entered into. The programs to that effect were completely approved by the Department of Agriculture.

The second thing which was sought to be accomplished was to give similar protection to those who had signed acreage reserve agreements under the Soil Bank prior to January 1, 1958, which affected their winter-wheat plantings last fall. They were entitled equally to the protection which I have just stated. Those two objectives are carried out by the substitute.

The third objective which is added in the substitute is one with which the Senate conferees were not in full accord, but which, apparently, had to be granted in order to get a bill. That was the inclusion of an arrangement making the same provision apply to acreage reserve contracts for this year—1958—alone, whether they were signed since the beginning of the year or not.

I ask unanimous consent to have printed at this point in the RECORD a short statement I have prepared on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HOLLAND—DIFFERENCES BETWEEN THE SENATE AMENDMENT TO H. R. 10843 AND THE CONFERENCE SUBSTITUTE THEREOF

The conference substitute differs from the Senate amendment to H. R. 10843 in that it extends its provisions to all 1958 acreage reserve contracts in the 38 counties first included in 1958 in the commercial corn-producing area. As related to acreage reserve contracts the Senate amendment covered only those 1958 contracts executed prior to January 1, 1958, which would have meant that only winter wheat acreage reserve contracts entered into last fall would have been covered.

The House bill differed from the Senate amendment in two respects in the case of acreage reserve contracts. The House bill covered all 1958 acreage reserve contracts in the 38 new counties, but did not apply to acreage reserve contracts for any subsequent year. The Senate amendment applied only to acreage reserve contracts executed prior to January 1, and would be applicable to 1959 acreage reserve contracts if there should be an acreage reserve program for 1959.

The conference substitute adopts the House provision with respect to covering all 1958 acreage reserve contracts and the Senate provision with respect to covering 1959 acreage reserve contracts.

Both the House bill and the Senate amendment provided exemption from the requirement of cross-compliance with corn acreage allotments for all conservation reserve contracts entered into prior to January 1 of the first year in which the county was included in the commercial corn area. This exemption is a permanent one and is retained in the conference substitute.

Mr. HOLLAND. Mr. President, the conference report was unanimously approved and signed by the Senate conferees, and was approved and signed by 4 of the 5 House conferees.

I move that the conference report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

FEDERAL-AID HIGHWAY ACT OF 1958

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

Mr. HOBLITZELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, across the several States of the Nation there are hundreds of thousands of miles, perhaps literally millions of miles, of city streets, county roads, State highways, and other thoroughfares of various types, built by all levels of government, from the smallest type of local, public agency to the Government of the United States.

For many years it has been the policy of the Federal Government to provide to the several States an incentive to construct certain types of thoroughfares within the jurisdiction of each State. The participation by the Federal Government has been financial, although in addition the Congress has laid down for the Federal Bureau of Public Roads certain standards and guidelines by which the Bureau should determine the availability of Federal moneys to any participating State.

Two years ago the Congress of the United States debated the question of whether the Federal Government should participate—and, if so, to what extent—in the construction of a great Interstate Highway System, not only important to the needs of the civilian economy of the country, but also important to the defense of the American people. In the debate in the Senate and in the debate in the House of Representatives, the tragic toll of dead and maimed, each year, as a result of highway accidents was iterated and reiterated. It was also in the interest of safety of the American traveling public that the Congress debated the problem involved in the possible construction of a great, new system of high-speed arterial highways, all of limited access, all built to specifications of the highest standards, which in the end would ribbon the United States from north to south and from east to west.

Ultimately the Congress passed the interstate and defense highway law under which the Federal Treasury would underwrite 90 percent of the cost of construction. The bill also provided that the Federal Bureau of Public Roads

would carefully sit in judgment as to the high standards which each State must follow in order to obtain nine-tenths of the cost of constructing the system within its borders.

In the intervening months, construction across the country has progressed; but for many reasons it has not progressed with the rapidity which was envisioned at the time when the bill was passed.

Thus, as the Senate deliberates this week on proposed legislation to get the 13-year Interstate Highway System construction program back on the track, the Senate has also—two years after the original law was passed—still to face up to a fundamental problem, as the pending bill faces up to it now. That is simply whether the American people have the right to look forward to a great new highway system, unspoiled by indiscriminate outdoor advertising. I say the American people have that right and that Congress has a duty to perform in this field.

I wish to say in all frankness that last August, I believe it was, the able junior Senator from Oregon [Mr. NEUBERGER] submitted an amendment to give the States of the Union an incentive to control outdoor advertising along the Interstate System. I felt that that matter involved some problems which needed to be resolved before such a proposal would justify bipartisan majority support in the Congress.

One such problem dealt with a constitutional question. I can illustrate it best, Mr. President, by indicating it in the following way: A State such as my own—California—has, by its own State constitutional provisions, delegated police power to incorporated communities within the borders of the State, to the extent that such incorporated communities, in determining the use to which private property may under their jurisdiction be put, act entirely apart from any legislation which the State legislature, on its own part, may pass for the rest of the area within the borders of the State.

As a Californian, I wanted my State to be able to avail itself of any incentive legislation adopted by Congress under which a State could reasonably exercise its zoning authority, and, thus, I wanted such legislation to recognize the problem of "home rule" State constitutions, and to permit States to enter into agreements with the Federal Government to control outdoor advertising on the Interstate System without penalizing them for their home rule constitutional provisions.

In the intervening months between August and January, my staff and I studied, from a legal standpoint, that problem, and some other problems, as a result of which I was able, earlier this year, to introduce my own conception of an incentive bill by which States would be encouraged to adopt their zoning legislation, in reasonable manner, in accordance with the national policy.

I said earlier today I was perfectly delighted to work with the distinguished junior Senator from Oregon in the last several weeks, and to fashion what I am pleased to say in my judgment is an hon-

est, realistic, and workable piece of legislation in this field. We jointly offered it to the Public Works Committee of the Senate, and, with 1 or 2 changes, by a majority vote the committee approved that amendment.

Earlier today the Senator from Oregon lucidly indicated what the proposal does. For the purpose of endeavoring to assist my fellow Senators who will avail themselves of the RECORD during the week, to help them determine how they will cast their vote on this problem, I wish to add just a few more words of my own as to the scope of this committee-approved amendment.

First of all, the billboard section of the highway bill before the Senate lays down a national policy.

Mr. President, I ask unanimous consent that the part of S. 3414 appearing on page 20, and continuing down to line 25 on page 21, entitled "National Policy," be set forth in the RECORD at this portion of my comments.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

Sec. 122. Areas adjacent to the Interstate System.

"(a) National policy: To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, it is hereby declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for:

(1) Directional or other official signs or notices that are required or authorized by law.

(2) Signs advertising the sale or lease of the property upon which they are located.

(3) Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

Mr. KUCHEL. Mr. President, Senators may read that national policy and I hope, like the authors, agree with it in its goal, and, generally in the manner of reaching it.

With respect to that part of the national policy which appears after subparagraph (3), the committee saw fit specifically to provide that signs of not more than 500 square inches, advertising activities being conducted at a location within 12 miles of the point at which such signs are located, would constitute an exception to the national policy.

Earlier the Senator from Oregon and I both discussed that amendment, which

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SOIL BANK CONTRACTS IN COUNTIES BROUGHT INTO COMMERCIAL CORN AREA

MARCH 25, 1958.—Ordered to be printed

Mr. COOLEY, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 10843]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following: *That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:*

“Notwithstanding any other provision of this section—(1) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for 1958 by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if the county in which such farm is located is included in the commercial corn producing area for the first time in 1958; (2) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for any year subsequent to 1958 or a conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn producing area: Provided, That the foregoing provisions of this sentence shall apply only to a farm for which an ‘old farm’ corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first

time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

And the Senate agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
WILLIAM S. HILL,

Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
GEORGE D. AIKEN,
MILTON R. YOUNG,

Managers on the Part of the Senate.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

As passed by the House, the bill exempted from the cross-compliance provisions of section 114 of the Soil Bank Act for 1958 only, farmers in the 38 counties which were placed in the commercial corn area for the first time in 1958.

The bill also exempted from the same compliance provisions, with respect to corn, any conservation reserve contract heretofore or hereafter entered into, if such contract is entered into before January 1 of the first year for which the county is included in the commercial corn area.

The Senate amendment was identical with the House bill with respect to conservation reserve contracts.

With respect to acreage reserve contracts, however, the Senate amendment made the date January 1 applicable. This would have had the practical effect of exempting in 1958 only farmers in new commercial corn counties who had signed winter wheat acreage reserve contracts. It would not have given any exemption to farmers in these counties who signed acreage reserve contracts for cotton, rice, or tobacco.

In lieu of the Senate amendment, the conferees have agreed upon a substitute which combines the provisions of both the House bill and the Senate amendment.

The substitute adopts the House provisions with respect to acreage allotment contracts for 1958 and adopts the Senate provisions with respect to acreage allotment contracts in any year subsequent to 1958.

There is no change in the provision respecting conservation reserve contracts.

The language followed is that of the House bill with the insertion on page 2, line 2, following the word "under", in the bill as reported to the House, of the words "an acreage reserve contract for any year subsequent to 1958 or".

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
WILLIAM S. HILL,

Managers on the Part of the House.

9. UNEMPLOYMENT COMPENSATION. Both Houses received from the President a message recommending enactment of legislation for the temporary continuation of unemployment benefits to individuals who have exhausted their benefits under State and Federal laws (H. Doc. 358). pp. 4653, 4725-26
- Both Houses received from the Secretary of Labor a proposed bill to provide for temporary additional unemployment compensation; to S. Finance and H. Ways and Means Committees. pp. 4606, 4745
10. FOREIGN AID. Sens. Kennedy and Cooper urged additional aid for India, including that under Public Law 480. pp. 4674-82

HOUSE

11. SECOND SUPPLEMENTAL APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 10881 (pp. 4687-93). Concurred in the Senate amendments to the USDA items which had been reported in disagreement (pp. 4693-4). Rep. Reuss urged opposition to the Senate amendment continuing the acreage reserve limitation of \$3,000 per farm and proposed instead that it be \$3,000 per producer (pp. 4690-3).
- The Senate also agreed to the conference report and acted upon amendments that had been reported in disagreement (pp. 4658-59). This bill will now be sent to the President.
- Sen. Hayden inserted a table showing the budget estimates, the House and Senate versions of the bill, and the amounts agreed to in conference. pp. 4659-62
12. CORN. Received the conference report on H. R. 10843, to permit soil bank payments to certain corn producers in the commercial area who exceed their corn acreage allotments (see Digest 47 for explanation). ~~The Senate has~~ agreed to the conference report. pp. 4701, 4746
13. FARM PROGRAM. Several Reps. discussed the administration's farm program and the price support and acreage allotment freeze resolution, S. J. Res. 162. Rep. Rhodes urged the President to veto the resolution (p. 4725). Reps. Hiestand, Frelinghuysen, Derounian, Teague (Calif.), and Sheehan stated that the measure would raise consumer food costs (pp. 4735-6). Rep. Curtis (Mo.) defended the economic soundness of the administration's farm program (pp. 4736-7). Rep. Alger stated there were too many farmers due to the high price supports (pp. 4736-8). Rep. Rhodes urged that farmers be treated like businessmen, and encouraged to produce more (p. 4738). Rep. Thomson (Wyo.) urged a return to the free market and no production limitations (p. 4738). Rep. Bass (N.H.) contended that present farm programs result in a double cost to the consumer (pp. 4738-9), and Rep. Neal agreed (p. 4739). Rep. Derounian stated that the cost to store food was excessive and led to higher food costs (p. 4739). Rep. McCarthy referred to the interdependence of farmer and consumer, the cost investment in farming, and contended that the farmer has been underpaid in recent years despite increased food costs and greater USDA expenditures (pp. 4742-3). Rep. Reuss criticized the Secretary for allegedly concealing the first edition of Farm Population Estimates of 1957, and stated that the Secretary erred in "disregarding the \$3,000 acreage reserve limitation per producer, in buying cheese from processors in 1954, in increasing the size of USDA, in dealing with a Mr. Jonkel to sell rice to Indonesia, and in draining wetlands (pp. 4743-4).

"In order to assure that the Congress will have ample opportunity to co-operate in the development of a long term road program when it reconsiders forest road matters in 1960, the committee will request the Department of Agriculture to submit a detailed program as soon as possible. This program should include estimates of road requirements for timber harvesting, recreational use, general use and protection, and the cost thereof, for each national forest and summarized by States. Forecasts of the type of roads that should be constructed with appropriated funds and those that should be built as a part of timber sale contracts should also be provided, with sufficient information on national forest resources and use potential to establish the economic justification for an adequate road program. Information should be furnished on the benefits to various forest activities that will be realized by implementation of a long-range program as well as losses to the economy that will occur if a long-range program is not promulgated.

"In connection with the above data, the Department of Agriculture should set forth any legislation that may be needed to promote the most effective operation of a forest road program utilizing both appropriated funds and timber purchaser road construction. ...

"The committee is also impressed by the need in certain areas to step up road and trail construction to eliminate terrifying fire hazards in vital watersheds. The House Interior and Insular Affairs Committee hearings on forest-fire control in southern California spotlight a most aggravated problem facing the Nation. Properly constructed and controlled roads will enable Forest Service fire fighters to attack these fires which denude the brush-covered hills and permit subsequent rains to flood heavily populated areas with debris and water.

"The committee believes it to be in the interests of the Federal Government to protect its natural resource represented by the national forests, and to develop that resource for the benefits that will be realized, not only in cash returns, but also in making available large areas for recreation and enjoyment of our citizens. It therefore recommends increasing the authorization of funds for forest development roads and trails from the present \$27 million to \$34 million for each of the fiscal years 1960 and 1961."

4. ELECTRIFICATION. Sen. Humphrey inserted a Minn. Electric Cooperative resolution commending REA Administrator Hamil "for the effective and satisfactory manner in which he has discharged his duties." p. 4608

Sen. Proxmire inserted a Land O'Lakes Cooperative resolution requesting that interest rates on REA loans not be raised, and that "the REA Administrator be given full authority to approve loans, which authority was granted to him in the original REA Act of 1936." pp. 4616-17

5. DAIRY PRICE SUPPORTS. Sen. Proxmire spoke in opposition to the announced cut in dairy price supports, and inserted a letter from a Wisc. County Agent to the Secretary opposing the announced cut. p. 4617

6. FORESTRY. Sen. Murray commended, and inserted a newspaper article commending, Sen. Neuberger for his efforts to work out a solution for the disposition of Klamath Indian lands, including timber lands. pp. 4624-25

7. FARM PRICES. Sen. Humphrey inserted a local Farmers Union resolution urging Congress "to restore farm prices to full parity level." p. 4608

8. ELECTRIFICATION; SCHOOL LUNCH. Sen. Thye inserted a Minn. Elevator Assoc. resolution opposing any increase in interest rates on REA loans, and urging all schools to participate in the school lunch program. p. 4606

Mr. BROWNSON. In other words this bill was considered by the full Committee on Armed Services for approximately 2 hours; is that right, sir?

Mr. KILDAY. That is substantially correct.

Mr. BROWNSON. Mr. Speaker, this bill involves an increased expenditure at this time of well over a half a billion dollars in the next year alone. Under this legislation it is possible for enlisted personnel with hazard pay to receive as much as \$8,304 a year or \$7,044 a year without hazard pay. A 4-star general with hazard pay will receive \$29,304 a year or \$27,324 without hazard pay.

This legislation increases the overall pay of 4-star generals by 36 percent; of lieutenant generals by 31 percent; of major generals by 23 percent, and of brigadier generals by 20 percent. The overall pay of colonels or captains in the Navy will be increased by 18 percent, majors by 11 percent, captains by 11 percent, first lieutenants by 8 percent, and second lieutenants by 4 percent. The overall pay of master sergeants will be increased by 12 percent. The overall pay of sergeants first class will be increased by 7 percent. Sergeants second class will receive a 10 percent pay boost and corporals will receive 8 percent.

Under this legislation a 4-star general will receive an increase of 47 percent on his basic pay which represents a raise of \$7,188 a year. I wonder if this is necessary, in order to keep our four-star generals happy. I have not heard of many of them leaving the service except to retire at 50 or 55. How does the company grade officer make out? He is the one with the wife and youngsters who is often attracted to civilian life by increased earning possibilities. He gets an increase which amounts to only 15 percent of his basic pay or an additional \$68 a month; \$816 a year.

The sergeant first class rates an increase of only 11 percent basic pay which amounts to almost \$29 a month or \$332 a year. Are we saying to him, "This bill is a great thing for you. You are not going to get very much now. Your 11-percent increase on your basic pay doesn't compare with the 47 percent increase we gave your four-star general; but then, your morale should be improved because when you get to be an Army commander, you'll get your \$27,324 a year too."

There is much merit in this legislation. The armed services has been in a turmoil for over a year as the much publicized and propagandized findings of the Cordiner Commission were dangled in front of their eyes. I hope, however, we can defeat the rule on this bill today. This would have the effect of sending it back to the committee for reworking. I want our generals and admirals to be paid well, to live well and to be appreciated. I also want our non-commissioned officers, our enlisted technicians and our company grade officers to get a well-deserved break during the years they are raising families. They are the ones who are most tempted to leave the service, not our top-ranking officers.

May I suggest that the tremendous increases in pay for the top-level gen-

eral officers may not take fully into account the fringe benefits they already receive? Few corporation officials have access to the yachts, airplanes, staffs, and other perquisites which are quite properly a part of their life. I do not begrudge them these privileges. I only say that when their salaries are compared with those of their civilian counterparts these fringe benefits, together with comparatively liberal retirement, medical attention, and career security must be taken into consideration. A 47-percent increase is quite a boost in a period of insecurity in civilian employment opportunities.

It is difficult to explain this bill to the reservist who served in World War II, and who was called back into the Korean conflict, only to be read out of the Army, Navy, or Air Force this year in the interests of economy.

I favor a more equitable distribution of pay increases. If the motion on the rule is carried, I will reluctantly vote for the bill, hoping that as it goes through the balance of the legislative process it will improve.

SOIL BANK CONTRACTS

Mr. ALBERT submitted the following conference report and statement on the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments:

CONFERENCE REPORT (H. REPT. No. 1559)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this section—(1) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for 1958 by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if the county in which such farm is located is included in the commercial corn producing area for the first time in 1958; (2) no person shall be ineligible to receive payments or compensation under an acreage-reserve contract for any year subsequent to 1958 or a conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn producing area: *Provided*, That the foregoing provisions of this sentence shall apply only to a farm for which an "old farm" corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

And the Senate agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
WILLIAM S. HILL,

Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
GEORGE D. AIKEN,
MILTON R. YOUNG,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

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The bill also exempted from the same compliance provisions, with respect to corn, any conservation reserve contract heretofore or hereafter entered into, if such contract is entered into before January 1 of the first year for which the county is included in the commercial corn area.

The Senate amendment was identical with the House bill with respect to conservation reserve contracts.

With respect to acreage reserve contracts, however, the Senate amendment made the date January 1 applicable. This would have had the practical effect of exempting in 1958 only farmers in new commercial corn counties who had signed winter wheat acreage reserve contracts. It would not have given any exemption to farmers in these counties who signed acreage reserve contracts for cotton, rice, or tobacco.

In lieu of the Senate amendment, the conferees have agreed upon a substitute which combines the provisions of both the House bill and the Senate amendment.

The substitute adopts the House provisions with respect to acreage allotment contracts for 1958 and adopts the Senate provisions with respect to acreage allotment contracts in any year subsequent to 1958.

There is no change in the provision respecting conservation reserve contracts.

The language followed is that of the House bill with the insertion on page 2, line 2, following the word "under", in the bill as reported to the House, of the words "an acreage reserve contract for any year subsequent to 1958 or."

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
WILLIAM S. HILL,

Managers on the Part of the House.

ADJUSTING BASIC PAY OF UNIFORMED SERVICES

Mr. THORNBERRY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken and on a division (demanded by Mr. MEADER) there were—ayes 82, noes 6.

Mr. MEADER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 380, nays 5, not voting 44, as follows:

[Roll No. 29]

YEAS—380

Abbutt	Dennison	Jones, Mo.
Abernethy	Dent	Judd
Adair	Denton	Karsten
Addonizio	Derounian	Kearney
Albert	Devereux	Kearns
Alexander	Dingell	Keating
Alger	Dixon	Kee
Allen, Calif.	Dollinger	Kelly, N. Y.
Allen, Ill.	Donohue	Keogh
Andersen,	Dooley	Kilburn
H. Carl	Dorn, N. Y.	Kilday
Anderson,	Dorn, S. C.	Kilgore
Mont.	Dowdy	King
Andrews	Doyle	Kirwan
Anfuso	Durham	Kitchin
Arends	Dwyer	Knox
Ashley	Eberhart	Knutson
Ashmore	Edmondson	Krueger
Aspinall	Elliott	Lafore
Avery	Everett	Laird
Ayres	Evins	Landrum
Bailey	Fallon	Lane
Baker	Farbstein	Lankford
Baldwin	Fasell	Latham
Baring	Feighan	LeCompte
Bass, N. H.	Fenton	Lennon
Bass, Tenn.	Fino	Lesinski
Bates	Fisher	Libonati
Baumhart	Flood	Lipscomb
Beamer	Flynt	Loser
Becker	Fogarty	McCarthy
Beckworth	Ford	McCormack
Belcher	Forrester	McCulloch
Bennett, Fla.	Frazier	McDonough
Bennett, Mich.	Frelinghuysen	McGovern
Berry	Friedel	McGregor
Betts	Fulton	McIntire
Biatnik	Garmatz	McIntosh
Boggs	Gary	McVey
Boland	Gathings	Macdonald
Bolling	Gavin	Machrowicz
Bolton	George	Mack, Ill.
Bonner	Glenn	Mack, Wash.
Bosch	Gray	Madden
Bow	Green, Oreg.	Magnuson
Boyle	Gregory	Mahon
Bray	Griffin	Maillard
Breeding	Griffiths	Marshall
Brooks, La.	Gross	Martin
Brooks, Tex.	Gubser	Matthews
Broomfield	Hagen	May
Brown, Ga.	Haie	Merrow
Brown, Mo.	Haley	Metcalf
Brown, Ohio	Haileck	Michel
Broyhill	Harden	Miller, Calif.
Budge	Hardy	Miller, Md.
Burleson	Harris	Miller, Nebr.
Bush	Harrison, Nebr.	Miller, N. Y.
Byrne, Ill.	Harrison, Va.	Minshall
Byrne, Pa.	Harvey	Mitchell
Byrnes, Wis.	Hays, Ark.	Montoya
Cannon	Hays, Ohio	Moore
Carnahan	Healey	Morano
Carriag	Hemphill	Morgan
Cederberg	Henderson	Morris
Chamberlain	Herlong	Moss
Chelf	Heslton	Moulder
Chenoweth	Hess	Multer
Christopher	Hiestand	Murphy
Church	Hill	Murray
Clark	Hillings	Natcher
Clevenger	Hoevel	Neal
Coad	Hoffman	Nicholson
Coffin	Hollifield	Nimtz
Colmer	Holland	Norblad
Corbett	Holmes	Norrell
Coudert	Holt	O'Brien, Ill.
Cramer	Holtzman	O'Brien, N. Y.
Cretella	Hosmer	O'Hara, Ill.
Cunningham,	Huddleston	O'Hara, Minn.
Iowa	Hull	O'Konski
Cunningham,	Hude	O'Neill
Nebr.	Hurd	Osmers
Curtin	Jackson	Ostertag
Curtis, Mass.	Jarman	Passman
Curtis, Mo.	Jenkins	Patman
Dague	Jennings	Patterson
Davis, Ga.	Jensen	Pelly
Dawson, Ill.	Johansen	Perkins
Dawson, Utah	Johnson	Pfost
Delaney	Jonas	Philbin
Delley	Jones, Ala.	Pilcher

Pillion	Scherer	Tollefson
Poage	Schwengel	Trimble
Poff	Scott, N. C.	Tuck
Polk	Scott, Pa.	Udall
Porter	Scrivner	Ullman
Powell	Scudder	Utt
Preston	Seely-Brown	Vanik
Price	Selden	Van Pelt
Prouty	Sheehan	Van Zandt
Quie	Shelley	Vinson
Rabaut	Sheppard	Vorys
Ray	Sikes	Vursell
Reece, Tenn.	Siler	Wainwright
Reed	Simpson, Ill.	Walter
Rees, Kans.	Simpson, Pa.	Watts
Reuss	Sisk	Weaver
Rhodes, Ariz.	Smith, Calif.	Westland
Rhodes, Pa.	Smith, Kans.	Wharton
Riehlman	Smith, Miss.	Whitener
Riley	Spence	Whitten
Rivers	Springer	Widnall
Roberts	Stauffer	Wigglesworth
Robeson, Va.	Steed	Williams, Miss.
Robison, Ky.	Sullivan	Williams, N. Y.
Rodino	Taber	Willis
Rogers, Colo.	Talle	Wilson, Calif.
Rogers, Fla.	Teague, Calif.	Wilson, Ind.
Rogers, Mass.	Teague, Tex.	Winstead
Rogers, Tex.	Teller	Withrow
Rooney	Tewes	Wolverton
Roosevelt	Thomas	Wright
Rutherford	Thompson, La	Yates
Sadiak	Thompson, N. J.	Young
Santangelo	Thompson, Tex.	Younger
Saund	Thomson, Wyo	Zablocki
Schenck	Thornberry	Zelenko

NAYS—5

Bentley	Mason	Wier
Brownson	Meader	

NOT VOTING—44

Auchincloss	Diggs	McFall
Barden	Engle	McMillan
Barrett	Forand	Mills
Blitch	Fountain	Morrison
Boykin	Gordon	Radwan
Buckley	Granahan	Rains
Burdick	Grant	Robison, N. Y.
Byrd	Green, Pa.	St. George
Canfield	Gwinn	Saylor
Celler	Haskell	Shuford
Chipfield	Hebert	Sieminski
Collier	Horan	Smith, Va.
Cooley	James	Staggers
Davis, Tenn.	Kean	Taylor
Dies	Kluczynski	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hebert with Mr. Canfield.
Mr. Boykin with Mr. Kean.
Mr. Buckley with Mr. Auchincloss.
Mr. Gordon with Mrs. St. George.
Mr. Engle with Mr. Taylor.
Mr. Dies with Mr. Gwinn.
Mr. Sieminski with Mr. James.
Mr. Grant with Mr. Saylor.
Mr. Green of Pennsylvania with Mr. Chipfield.
Mr. Staggers with Mr. Horan.
Mr. Rains with Mr. Haskell.
Mr. Barrett with Mr. O'Konski.
Mr. Forand with Mr. Robison of New York.
Mr. Fountain with Mr. Radwan.
Mrs. Granahan with Mr. Collier.
Mr. Shuford with Mr. Burdick.

Mr. KNOX changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed the following resolution:

Senate Resolution 280

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. GEORGE S. LONG, late a Representative from the State of Louisiana.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate, at the conclusion of its business today, take a recess until 11 o'clock antemeridian tomorrow.

The message also announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 11086. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to wheat acreage history.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) entitled "An act to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments."

The message also announced that the Secretary of the Senate requests the House of Representatives to return to the Senate the bill (S. 1538) entitled "An act to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10881) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes."

The message further announced that the Senate agrees to the amendments of the House to Senate amendments numbered 18, 20, 22, and 48 to the above-entitled bill.

ADJUSTING BASIC PAY OF UNIFORMED SERVICES

Mr. KILDAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11470) to adjust the method of computing basic pay for officers and enlisted members of the uniformed services to provide proficiency pay for enlisted members thereof, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11470), with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

(Mr. KILDAY asked and was given permission to revise and extend his remarks.)

Mr. KILDAY. Mr. Chairman, I yield myself 20 minutes.

Agreed to allow the Appropriations Committee until midnight Fri., Mar. 28, to report the agricultural appropriation bill. p. 4988

Agreed to allow the Appropriations Committee until midnight Fri., Mar. 28, to report a joint resolution providing for advance procurement of supplies and equipment by Government agencies, to accelerate Federal expenditure programs. p. 4995

2. CORN. Adopted the conference report, as agreed to by the Senate, on H. R. 10843, to permit soil bank payments to certain corn producers in the commercial area who exceeded their corn acreage allotments. This bill will now be sent to the President. p. 4989

3. WEATHER CONTROL. The Interstate and Foreign Commerce Committee ordered reported with amendment S. 86, to authorize research in cloud modification. p. D269

4. EASTER RECESS. Both Houses adopted without amendment H. Con. Res. 303, to provide for an adjournment of both Houses from April 3 to April 14. pp. 4988, 4934

SENATE

5. ROADS. Passed, 84 to 4, with amendments H. R. 9821, the road authorization bill after substituting the language of similar bill S. 3414, as amended, S. 3414 was indefinitely postponed. pp. 4935, 4939-41, 4949-72

Rejected an amendment by Sen. Mansfield which would have authorized the waiving of all matching requirements for Federal funds allocated under the Federal Highway Act for a period of 1 year, with a \$15 million maximum on primary and secondary systems, a \$20 million maximum on the Interstate System (pp. 4939-41); and an amendment by Sen. Case to strike out the provisions of the bill providing for a 70-30 matching formula (for the extra \$4000 million for primary and secondary roads) in States with large areas of public lands (pp. 4965-68).

Agreed to an amendment by Sen. Case to require a certification by the States upon submission of plans for Interstate System projects that public hearings have been held in rural areas to enable persons whose property will be affected by the highways to express any objections to the proposed location of the highway. pp. 4941-50

Conferees were appointed on the bill. p. 4971

6. EMERGENCY FEED; BROOMCORN. Sen. Kerr inserted resolutions from the agriculture committee of the Okla. State Legislative Council objecting to this Department rechecking all applicants approved for emergency feed relief during 1956 and 1957 for the purpose of redetermining eligibility of the applicants, and favoring an increase in tariff on the importation of broomcorn. p. 4920

7. PRICE SUPPORTS. Sen. Humphrey inserted a letter and article urging the President to sign the resolution to freeze acreage allotments and price supports, and an article stating that this Department is preparing "to make heavier than normal purchase of dairy products between now and April 1, when new and lower price supports go into effect." pp. 4944-45

Sens. Thye and Proxmire inserted telegrams received opposing a reduction in the price supports for dairy products, and urging that the President sign the resolution which would freeze such price supports. pp. 4929, 4932

8. ATOMIC ENERGY. Sen. Anderson inserted the speech of Rep. Durham, chairman of the Jt. Atomic Energy Committee, "Current Problems in the Atomic Power Development," including a discussion of the civilian atomic-power program. pp. 4925-27

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 28, 1958
For actions of March 27, 1958
85th-2d, No. 50

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HIGHLIGHTS: Senate passed road authorization bill. Senate majority policy committee urges President to sign measure to freeze price supports and acreage allotments. House passed: Independent offices appropriation bill. Labor-HHW appropriation bill. House agreed to conference report to permit soil bank payments to certain producers who exceeded corn acreage allotments.

HOUSE

1. APPROPRIATIONS. Passed without amendment H. R. 11574, the independent offices appropriations bill for 1959 (pp. 4989-95). Rejected, 49 to 85, an amendment by Rep. Ostertag to increase the GSA general supply fund by \$15 million (pp. 4989-90). Rejected an amendment by Rep. Porter to earmark \$40 million of the National Science Foundation appropriation for basic research in colleges (pp. 4994-5).

Passed with amendment H. R. 11645, the Labor and Health, Education, and Welfare Departments appropriation bill for 1959 (pp. 4995-5019). The bill was amended by deleting three sections on which points of order were sustained, including a proposed requirement that the U. S. be reimbursed for expenses under the Mexican farm labor program (pp. 5018-19). Rep. Sullivan recommended a larger amount for the Food and Drug Administration (pp. 5004-7). Rep. Laird criticized the Budget Bureau and certain budgetary actions (pp. 5008-9). Rep. Marshall criticized the reduction in Labor apprenticeship and training programs, especially as "The present policy of the Department of Agriculture seems to be to improve the per capita income position of farmers by encouraging them to take advantage of non-farm income," and trained workers are preferred (p. 5016).

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 32]

Allen, Calif.	Dorn, S. C.	Powell
Baring	Engle	Radwan
Boggs	Gordon	Rains
Buckley	Grant	Reece, Tenn.
Burdick	Quinn	St. George
Celler	Hebert	Scott, Pa.
Chapfield	Hollfeld	Shuford
Clark	Holland	Sieminski
Coffin	James	Taylor
Colmer	Kean	Teague, Tex.
Cooley	Krueger	Thompson, La.
Curtis, Mo.	Morrison	Vorys
Dies	Passman	Willis
Diggs	Pillion	

The SPEAKER. On this rollcall 382 Members have answered to their names.

By unanimous consent, further proceedings under the call were dispensed with.

SOIL BANK CONTRACTS IN COUNTIES BROUGHT INTO COMMERCIAL CORN AREA

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of March 25, 1958.)

The conference report was agreed to.

A motion to reconsider was laid on the table.

INDEPENDENT OFFICES APPROPRIATION BILL, 1959

Mr. THOMAS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 11574) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 11574, with Mr. IKARD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read down to and including line 3 on page 13 of the bill.

Mr. OSTERTAG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OSTERTAG: On page 13, after line 3 and before line 4, insert a new paragraph as follows:

"GENERAL SUPPLY FUND"

"To increase the general supply fund established by the Federal Property and Administrative Services Act of 1949, as amended (5 U. S. C. 630g), \$15 million."

Mr. OSTERTAG. Mr. Chairman, this amendment seeks to restore to the independent offices appropriation bill and in particular to the General Services Administration \$15 million for the general supply fund. Permit me to call your attention to the fact that this is not a spending item. This does not mean we are appropriating more funds to be spent by the General Services Administration or any other agency but rather it is merely to increase the supply fund or the capital of the supply fund by \$15 million. In other words, this \$15 million will remain within the supply fund either in goods or in money.

Mr. Chairman, in increasing the general supply fund of the General Services Administration by \$15 million it will raise the total amount of the Fund to \$93 million instead of the existing \$78 million as the fund is currently capitalized. This is necessary in the interest of efficiency and economy. It has been pointed out to the committee that during fiscal year 1959, the sales from the inventory of the fund will amount to \$302 million. That is during fiscal year 1959. This is an increase in sales from the inventory of \$38 million. This added capital will bring about better management and bring about an increase in the turnover of from 2½ to 3 times each year.

There are two principal reasons for this amendment. One is to meet the need for an increase in the inventory. The main reason there is the fact that the General Services Administration through the supply fund has taken over the management of furnishing supplies to the military, and more particularly to supply the Air Force or support the Air Force on a worldwide basis, particularly with reference to common use items. I understand the Air Force will acquire over \$8 million in supplies this next year of common use items on a worldwide basis. The other reason for the increase is that \$7 million will be required to furnish supplies and equip 16 new motor pools, which have been provided for under Public Law 766 of 1954. This development will reduce the total number of cars to be used by agencies throughout the Federal Government. This, too, will achieve a great deal of savings and economy, and it will bring the total equipment of cars in the motor pool to a value of some \$18 million. Because of this increase in business and because of this increase in the general operation of the supply fund, there will be a need to carry an additional \$1,800,000 in the accounts receivable. So all told this increase of \$15 million in the supply fund will bring about greater efficiency and greater economy. This adjustment is necessary to provide the elbowroom essential to an orderly operation in the purchase of supplies for Government agencies.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. OSTERTAG. I am happy to yield to the gentleman.

Mr. TABER. Is it not also true that it would permit the general supply fund to take cash discounts on a lot of things that it does not have the funds available for now?

Mr. OSTERTAG. Absolutely.

Mr. TABER. And that will save a great deal of money, will it not?

Mr. OSTERTAG. Yes; I believe that to be true. In the committee report the reason given for dropping the \$15 million from the budget was that the agencies should make their payments much more expeditiously and with greater speed. The average turnover, or the average time lapsing between the purchases and payments today is 45 days, and they tell me that is a good record and cannot be improved to any substantial degree.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I yield.

Mr. TEAGUE of California. I should like to know whether this amendment has the support of Franklin Floete, the Administrator of the General Services Administration.

Mr. OSTERTAG. Yes, this \$15 million of course, was requested not only by the General Services Administration, but it was approved by the budget. May I remind you again that this is not appropriating money to spend but merely to increase by \$15 million the capital in the general supply fund? I trust that my amendment will prevail.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes, with 5 minutes reserved for the committee.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I would not support this amendment if it involved spending \$15 million. I am anxious to reduce the funds authorized to be spent by this bill. The amendment is simply an effort to provide additional capital to enable the General Services Administration to operate the supply system of the Government in a more efficient and economical manner. I am particularly concerned because of my interest in the motor pool operation. It is out of this fund that GSA finds the money to finance the purchase of automobiles which it uses in the motor pools. It will be used to finance an additional 16 pools that GSA expects to establish during the next fiscal year. As I pointed out yesterday in general debate, the motor pool operation has proved that it will save the taxpayers substantial sums of money. The actual amount of money saved in 1958 will be \$3,170,000; and in 1959, \$4 million annual savings is projected.

It seems to me it would not be wise for us to impair the capital in the supply fund, which is used to finance a \$300-million-a-year operation. As I have pointed out, and as the gentleman

from New York [Mr. OSTERTAG] stated, the amendment does not involve spending any money at all; it simply provides much needed additional capital which will enable General Services to do a better job of purchasing and handling the vast quality of supplies and personal property used by the various agencies and departments of the Government. Restoration of this item of capital will not cost the taxpayers a single dime but will enable substantial savings to be accomplished over the years.

The CHAIRMAN. The gentleman from Texas [Mr. ALGER] is recognized.

Mr. ALGER. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, there is no question in my mind but what this \$15 million should be written back into the bill. It is easy to arrive at a conclusion that that should be done when you understand the purpose of it. General Services Administration is one of the great buyers that serves other departments of government, and the Congress has placed that responsibility upon the General Services Administration, with the result that they buy for the military, they buy for various other departments of government, and save the Government a great deal of money. Mr. Floete has discussed this matter with me not later than this morning. I think every one on the committee recognizes Mr. Floete as a good business man and that he is doing a remarkable job. We can increase the efficiency and this Department can take their discounts, which is important. In the end it does not spend a dollar from the spending standpoint. It is only giving a revolving fund sufficient money for a high-grade businessman in government to properly handle the business that comes to him, and that is brought to him by Congress.

There is no question in my mind about it and I hope that the gentleman from Texas, Chairman of the subcommittee, might accept this amendment because there is not any question but what they have tightened the time for these services up to 45 days. It used to be 65, then 55, and now it is 45 and they have reached the limit.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, it is not easy to disagree with my distinguished colleagues on the subcommittee. When we marked up this bill there was no disagreement. There is no question about what is involved here. I would be the last individual to want to cripple the operation. There is not a penny involved in the day-to-day operation of those motor pools.

Mr. Chairman, let us see what is involved here. When they appeared before the committee we asked the General Services Administration: "Why do you need this additional \$15 million?"

What did they say? They said, "Why, these agencies whom we supply will not pay their bills on time. They owe us \$39.1 million today and if they would pay

their bills on time we would not need a nickel."

I said, "Suppose the committee writes the Director of the Bureau of the Budget and asks him to ride herd on the agencies and make them pay their bills on time, would that relieve the situation?"

Why should they not do that? They have the money. It has been appropriated to every agency and it should not take more than 5 days. Yet they are taking 45, 50, and 60 days.

What did the General Services Administration say? "O. K., that will get the job done."

What did we do? We wrote the Director of the Bureau of the Budget like we said we would and asked him to request the agencies to pay their bills on time. They already have the money. Why should GSA have to wait 45 days for the \$39 million the agencies owe?

The Director of the Budget sent us a copy of a letter to other agencies about 5 o'clock yesterday afternoon. I will read it, Mr. Chairman:

To the Heads of Executive Departments and Establishments of the Government:

Each agency head should take immediate action to expedite payment of bills owed the general supply fund, and to assure that future bills are paid promptly, so that procurement to replenish the stock of the fund will not be delayed.

Mr. Chairman, they do not need this \$15 million. All they have to do is to get a little action and have the agencies pay their bills on time. These agencies of the Government have the money now.

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. OSTERTAG. The chairman is basing his position—

Mr. THOMAS. I have not misstated a fact so far, have I?

Mr. OSTERTAG. I am not aware of any misstatement.

Mr. THOMAS. All right.

Mr. OSTERTAG. The chairman is basing his contention on the whole question of payment of the bills on the part of the agencies to the General Services Administration.

Mr. THOMAS. I know my friend wants them to do that.

Mr. OSTERTAG. The purpose of the amendment and the need for the \$15 million is not related to the time involved in the payment of bills. The point is the GSA expects to increase their sales over a period of the next year some \$38 million, including \$6½ million in Air Force overseas support. They are expected to equip 16 motor pools which will take \$7 million in capital funds to do the job. These are the principal reasons for the added \$15 million for the general supply fund as provided in my amendment.

Mr. THOMAS. Let me give my friend the figures. We have 12 stores. That is where the big expense is; that is where the big volume is done. During this fiscal year they will sell \$147 million worth of merchandise. And that is quite a bit. They have about \$80 million in the fund now. Next year they want to go up to \$163 million. They expect to increase

their sales \$16 million in the 12 stores, and yet you want to put \$15 million extra capital in the fund to take care of \$16 million of sales. Gentlemen, we do not want to cripple them. We want them to have a little business judgment, and I ask that the amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. OSTERTAG].

The question was taken, and on a division (demanded by Mr. OSTERTAG) there were—ayes 49, noes 85.

So the amendment was rejected.

The Clerk read as follows:

OPERATING EXPENSES, NATIONAL ARCHIVES AND RECORDS SERVICE

For necessary expenses in connection with Federal records management and related activities as provided by law; and not to exceed \$50,000 for expenses of travel; \$7,293,000.

Mr. MILLER of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of California: On page 13, line 9, strike out "\$7,293,000" and insert "\$7,333,000."

Mr. MILLER of California. Mr. Chairman, I almost hesitate to offer this amendment because I am not asking for millions, not even one million. I am asking for a mere \$40,000 to be added to the operating expense for the National Archives and Records Service so that we can start the project to compile, preserve, and publish the records from the 1st to the 15th Congresses. The records of the Continental Congress have been published under the Minutes of the Continental Congress, but it was not until 1817 that they began to keep a record of the Congress as we know it today. It was known then as the Annals of Congress until about 1870 when it took the form of the CONGRESSIONAL RECORD. For the first 30 years of this Government then there is no formal record available of what the Congress did. There are documents in the Archives; there are documents in the Library of Congress, and there are documents in other depositories some of which have found their way into university libraries and into historical societies throughout the country. These irreplaceable records can be lost and destroyed, and the longer we delay their publication the harder it is going to be to get the complete documents together, to preserve a continuous record of this Government from the date of its founding in 1789 until today. We must plug to gap between 1789 and 1817. The work will take about 6 years to complete. It is one of the projects recommended by the National Historical Publications Commission on which I have the honor to represent this House. On that commission there is also a Member from the Senate, as well as the House, and 8 distinguished historians drawn from throughout the country.

Now, what are we asking for? Less money per year than it costs to publish the CONGRESSIONAL RECORD for 3 days. Yesterday I went to the Public Printer and I said, "How much does it cost to publish the CONGRESSIONAL RECORD for one day?" He said, "\$81 a page." There are 240 pages for the CONGRESSIONAL RECORD that I hold in my hand. This

Public Law 85-369
85th Congress, H. R. 10843
April 7, 1958

AN ACT

72 Stat. 81.

To amend section 114 of the Soil Bank Act with respect to compliance with corn
acreage allotments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 114 of the Soil Bank Act is amended by adding at the end thereof the following: Corn acreage
allotments.
71 Stat. 478.
7 USC 1802.

"Notwithstanding any other provision of this section—(1) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for 1958 by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if the county in which such farm is located is included in the commercial corn producing area for the first time in 1958; (2) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for any year subsequent to 1958 or a conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn producing area: *Provided*, That the foregoing provisions of this sentence shall apply only to a farm for which an 'old farm' corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

Approved April 7, 1958.

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